

THE CAMPAIGN TO PROTECT BRISTOL BAY

Supporting a healthy economy, culture and fishery for the next generation of Alaskans.

2011 Update



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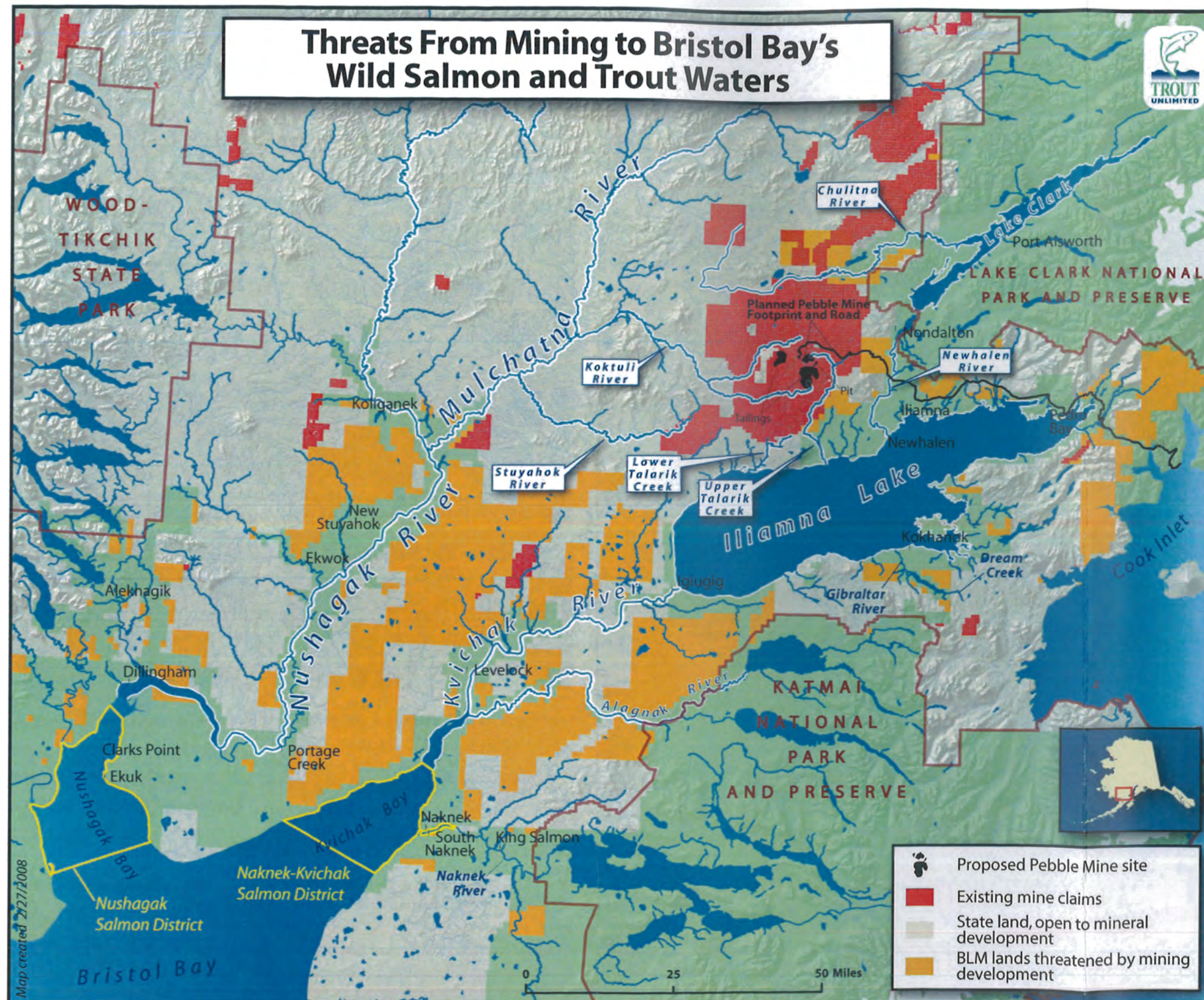
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THE PROPOSED PEBBLE MINE AND BRISTOL BAY

BRISTOL BAY AREA MAP & MINING CLAIMS



BRISTOL BAY AT RISK

Proposed Pebble Mine threatens world-class salmon and rainbow trout fishery



Photo by: Jim Klug



Photos by: Barry and Cathy Beck



The Bristol Bay region in southwest Alaska is pristine wild country, stretching from the rugged snow-capped peaks of the Alaska Range, across tundra and wetlands laced with rivers that flow into the bay, providing the best wild salmon habitat on earth. The hour-and-a-half flight from Anchorage to

Bristol Bay takes visitors on a breathtaking journey across two national parks (Katmai and Lake Clark), Alaska's largest state park (Wood-Tikchik), three active volcanoes (Augustine, Iliamna and Redoubt), Lake Iliamna (Alaska's largest lake), and countless winding rivers and tundra lakes. Bristol Bay and its watershed are truly inspiring for their beauty and bounty of rainbow trout, salmon and wildlife.

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BRISTOL BAY

As wild salmon disappear around the globe, Bristol Bay continues to produce the world's largest sockeye salmon fisheries, one of the largest king salmon runs and abundant trophy rainbow trout. The reason for this is clear - Bristol Bay's freshwater habitat is largely untouched by development. However, the bay is under threat from foreign mining corporations that want to turn the watershed into an industrial mining district. North America's largest open-pit mine is proposed for an area that straddles two of the bay's most important salmon streams. If plans for the Pebble Mine are allowed to proceed, they risk destroying a \$445 million commercial and sport salmon fishery that celebrates its 125th year in 2009.



Photo by: Nick Hall

...they risk destroying a \$445 million commercial and sport fishery

The Pebble Mine would directly threaten some of the most premier sport fishing destinations on the globe including: the Nushagak, Mulchatna, Kaktuli and Kvichak Rivers, and Upper Talarik Creek. These vibrant, wild Alaska rivers are as productive now as they were thousands of years ago and serve as



Photo by: Ben Knight

magnets for anglers from all over the world who want high-end, "once in a lifetime" fishing experiences. The Kvichak River is home to the world's largest sockeye salmon run and is also within Alaska's designated trophy wild rainbow trout area. The Nushagak and Mulchatna Rivers support the largest Chinook (king) salmon runs in Alaska, and perhaps the world.

THE IMPORTANCE OF SALMON

Healthy salmon runs underpin the Bristol Bay region's economic, social, cultural and ecological well-being. Local communities, jobs, and the health of the entire region, from grizzlies on down the food chain,

The proposed development of the Pebble Mine threatens hundreds of sport fishing lodges as well as the world's largest wild commercial sockeye salmon fishery and the subsistence culture of the Bristol Bay region.



Photo by: Kate Taylor



Photo by: Jim Klug

depend on these fish. The salmon sustain both thriving commercial and sport fishing industries as well as traditional subsistence ways of life. If the Pebble Mine is developed, hundreds of sport fishing lodges as well as the world's largest wild commercial sockeye salmon fishery and the subsistence culture of thousands of Alaska Natives and non-Natives who live in the Bristol Bay region will be threatened.

THE PEBBLE MINE

The Pebble deposit is a massive storehouse of gold, copper and molybdenum, located in the headwaters of the Kvichak and Nushagak Rivers, two of the eight major rivers that feed Bristol Bay. If built, Pebble would be one of the largest mines of its type in the world. The Pebble Limited Partnership is composed of the world's second largest multinational mining corporation, London-based Anglo American, along with Northern Dynasty, a smaller mining company headquartered in Canada. The

Pebble Limited Partnership has not released its final mine plans, but company executives and recent ore body estimates indicate that the Pebble Mine complex will cover between 15 and 54 square miles and include a 740 foot high dam that is over three miles long. Located in a seismically active area, the massive earthen dam would be designed to contain the toxic waste created in the mining process. Most of the material removed from the Pebble mining area will not have value. Over its lifetime, Pebble is estimated to produce between 2.5 and 10 billion tons of sulfide-laced waste rock that would have to be treated in perpetuity. Any release of this waste into the surface or groundwater has the potential to destroy Bristol Bay's salmon and rainbow trout populations forever.

OUR PUBLIC LANDS IN THE BAY

More than 1 million acres of prime wildlife and salmon habitat adjacent to the proposed Pebble Mine site could be opened to new mining claims with the stroke of a pen.

Closed to mining since 1971, these wild Alaska lands are integral to Bristol Bay's salmon-supporting habitat that is anchored by miles of untamed rivers and wild country. A recommendation from the Bureau of Land Management to lift this mineral closure and create a modern-day gold rush was issued in the last days of the Bush Administration. The cumulative impacts from increased development in the area overtime could devastate the fishery.

PROTECT BRISTOL BAY



Photo by: Lauren Oakes

With wild salmon runs disappearing from the planet, Bristol Bay is a place of international importance because of its prolific wild salmon runs and the economies they support. It faces imminent threat from the proposed Pebble Mine as well as hard rock mining on adjacent state and federal land. The Bristol Bay watershed must be protected from Pebble and other large-scale mining projects.

AT A GLANCE



Photo by: Barry and Cathy Beck

A pristine region woven with rivers and punctuated by mountain peaks, the Bristol Bay headwaters, encompassing over 12 million acres, are the lifeblood of America's largest remaining wild salmon populations.

The sport, commercial and subsistence fishing in this area contribute hundreds of millions of dollars to the local economy and provides thousands of jobs.

This bountiful, yet delicate system is threatened by the proposed development of one of the largest open pit gold mines in the world - the Pebble Mine.

Trout Unlimited, sport, commercial, and subsistence fisherman, and countless other community partners in the Bristol Bay region need your help to protect this irreplaceable resource.



TROUT UNLIMITED ALASKA

Trout Unlimited's Alaska Program works to preserve, protect and restore wild salmon and trout populations throughout Alaska. Through sound scientific data, strong grassroots outreach and advocacy, and hands-on involvement in conservation projects we protect some of the most pristine and prized rivers on the planet, restore those that need some help, and engage the next generation of coldwater stewards in Alaska's natural heritage.

Photo by: Ben Knight

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section 2

BRISTOL BAY AND EPA'S 404C AUTHORITY

Advancing the Clean Water Act 404(c) Process in the Headwaters of Bristol Bay's Kvichak and Nushagak River Drainages.

A potential mega-scale hardrock mine threatens the headwaters of Bristol Bay, Alaska's Kvichak and Nushagak river drainages. Such a mine poses unacceptable risks to the resources and people of Bristol Bay. Consequently, last year, a broad-based coalition of Alaska Natives, commercial fishermen, sportsmen and others requested the U.S. Environmental Protection Agency (EPA) use its authority under Section 404(c) of the Clean Water Act to protect the headwaters of the Kvichak and Nushagak River drainages of the Bristol Bay watershed.

On February 7, 2011, EPA announced plans to conduct a scientific assessment of the Bristol Bay Watershed. In describing the purpose of this assessment, Regional Administrator Dennis McLerran said:

The Bristol Bay watershed is essential to the health, environment and economy of Alaska. Gathering data and getting public input now, before development occurs, just makes sense. Doing this we can be assured that our future decisions are grounded in the best science and information and in touch with the needs of these communities. We look forward to working with Alaskans to protect and preserve this valuable resource.¹

We are encouraged by the announcement of this scientific assessment, and are hopeful that this represents the first step toward initiating action under Section 404(c) of the Clean Water Act. The assessment, as noted by EPA, will be informed by scientific peer review, tribal consultation, federal and state agency participation as well as public and industry input. As a part of this assessment, we urge the EPA to identify wetlands and waters that should be subject to a prohibition on or restriction of dredge and fill activity. By starting evaluations of this watershed now, EPA fulfills congressional intent that such large threats be identified and addressed proactively for the benefit of all, thereby saving government, industry, and local communities millions of dollars and precious working resources. Such evaluations will also help fulfill EPA's trust responsibility to the tribes.

Although EPA's action to proceed with a scientific assessment is a positive step in the right direction for protection of these important resources, we also strongly urge the EPA to implement Section 404(c) of the Clean Water Act without delay.

¹ EPA News Release, available at <http://yosemite.epa.gov/opa/admpress.nsf/0/8c1e5dd5d170ad99852578300067d3b3?OpenDocument>

If this project moves forward, these toxins would have to be contained and potentially treated in perpetuity. Because the Pebble mining claim straddles the Kvichak and Nushagak river drainages, which in turn are the foundation for Bristol Bay salmon fisheries, any release of mining waste into the surface or groundwater has the potential to severely harm Bristol Bay's salmon. This creates a very real threat for Alaska Natives, commercial fishermen, sport fishing business owners and many others who depend on a healthy Bristol Bay for their economic support, subsistence hunting and fishing, and cultural well being.

Risks from the proposed Pebble Mine and associated facilities trigger unacceptable adverse effects to several 404(c) resources of concern, including, but not limited to:

Fishery Areas (including spawning and breeding grounds): Bristol Bay is widely recognized as one of the last remaining strongholds for healthy wild salmon populations in North America and the world. The region provides pristine spawning grounds for trophy rainbow trout and all five species of Pacific salmon, including the largest sockeye salmon runs on Earth, and a variety of other fish and wildlife species that depend on the nutrients from salmon, clean water, and undisturbed habitat. Alaska Native communities rely on these resources today, as they have for centuries, to support traditional subsistence ways of life, and Bristol Bay's salmon runs are the economic engine for the entire region. 75 percent of local jobs are tethered to the fishery and the fishing based industries in the region generate nearly \$450 million annually⁷. Bristol Bay salmon account for 40% of the world's sockeye salmon supply; providing a healthy and nutritious form of protein for millions of people⁸. These fisheries and the complex ecosystems relying on salmon have proven to be entirely self-sustaining because of the intrinsic qualities of the habitat, and the fact that the habitat has not been degraded.

Wildlife Areas: The uplands of Bristol Bay are important habitat for caribou and moose, both of which are important to subsistence and sport hunters. Caribou calving grounds and moose winter habitat are on lands at or proximate to the mining claims or its associated facilities.

Recreation Areas: Sport anglers looking for "once in a lifetime" experiences on rivers such as the Nushagak, Mulchatna, Koktuli and Kvichak support more than 800 full- and part-time jobs, with sport fishing and other recreation generating more than \$90 million annually for the region.⁹

Municipal Water Supplies: Drinking water in the region comes from local rivers and waterways. Large-scale mining activities such as the potential Pebble Mine will likely impact drinking water through leaching heavy metals and other contaminants from waste rock, tailings, and waste containment facilities.¹⁰

⁷ John Duffield et al., *Economics of Wild Salmon Watersheds; Bristol Bay, Alaska*, 2007. Updated report 2010, based on 2009 numbers.

⁸ Page II-3 in http://www.cfec.state.ak.us/pita/Knapp_BB_Price_Projections_October_2004.pdf

⁹ Duffield et al., at 16.

¹⁰ See US EPA "Fact Sheet: Final Third Drinking Water Contaminant Candidate List (CCL 3)" issued

Proactive Use of Clean Water Act Section 404(c)

The objective of the Clean Water Act is to "... maintain the chemical, physical, and biological integrity of the Nation's waters." Section 404(c) was created with the authority to allow the Administrator to "prohibit" (as well as withdraw, deny or restrict) the discharge of dredged or fill materials into waters of the United States if such discharge "will have an unacceptable adverse effect on municipal water supplies, shellfish beds and fishery areas (including spawning and breeding areas), wildlife, or recreational areas."² EPA may "prohibit [such discharges]....before a permit application has been submitted to the Corps."³

As EPA has explained, proactive use of its 404(c) authority is a prudent and reasonable approach to protecting valuable resources:

[Advanced prohibition] facilitate[s] planning by developers and industry ... eliminat[ing] frustrating situations in which someone spends time and money developing a project for an inappropriate site and learns at an advanced stage he must start over. ... In addition, advance prohibition will facilitate comprehensive rather than piecemeal protection of wetlands. ... [T]here are instances where a site may be so sensitive and valuable that it is possible to say that any filling of more than X acres will have unacceptable adverse affects. EPA recognizes that *where possible it is much more preferable to exercise this [§404(c)] authority before the Corps or state has issued a permit...* (emphasis added).⁴

The Proposed Pebble Mine and Its Associated Facilities Pose Unacceptable Risks to the Resources and People of Bristol Bay.

The proponents of Pebble Mine estimate that it would produce up to 10.78 billion tons of waste⁵ containing elements such as copper and other heavy metals. This waste threatens municipal water supplies, several fishery areas (including spawning and breeding grounds for world renowned populations of salmon), wildlife health and recreation areas.⁶

² An "unacceptable adverse effect" means an impact which is likely to result in significant degradation of a listed resource (40 C.F.R. Part 230).

³ 40CFR 231.1(a). For instance, EPA used §404(c) in (1) Big River, (2) Sites owned by Henry Rem Estate, Marion Becker and Senior Corporation, and (3) Bayou Aux Carps when no application was pending.

⁴ 44 Fed. Reg. 58076, 58077 (Oct. 9, 1979)(emphasis added). See also EPA's Final Decision in Spruce No. 1 Mine, noting that "EPA strongly prefers to initiate the § 404(c) process prior to issuance of a permit...." Further, proactive use of 404(c) authority, exercised through a rigorous process, presents no more threat of illegal taking of private property rights than would the denial of a 404 permit for a proposed mine.

⁵ Northern Dynasty Minerals, Ltd. News Release, Pebble Budget Increased To US \$70 Million For 2009 (Sept. 23 2009) at 2; see also Pebble Limited Partnership News Release (Feb. 1, 2010) available at <http://www.pebblepartnership.com/sites/default/files/pub/PEB-0028%20press%20release%20feb%202010%20Resource%20update.pdf>

⁶ Robert E. Moran, Ph.D., Michael-Moran Assoc., LLC, Pebble Mine: Hydrogeology and Geochemistry Issues (Sept. 2007), available at http://www.fish4thefuture.com/pdfs/Moran_Hydrogeology_Geochemistry_8_9_07.pdf at 6, 11, 21, 25.

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⁸ Page II-3 in http://www.cfec.state.ak.us/pita/Knapp_BB_Price_Projections_October_2004.pdf

⁹ Duffield et al., at 16.

¹⁰ See US EPA "Fact Sheet: Final Third Drinking Water Contaminant Candidate List (CCL 3)" issued

PLP mining claims cover roughly 180 square miles¹¹ and plans for a mining and processing complex covering roughly 54 square miles¹². Thus, in addition to the numerous threats of direct and long-term impacts from depositing up to 10.78 billion tons of mine waste in the headwaters of Bristol Bay, the indirect impacts of the proposed Pebble mine could be equally substantial. These anticipated adverse impacts support early action by the EPA to protect these resources, even in advance of a permit application, and would fulfill Congressional Intent with regard to proactive use of authority under the CWA Section 404(c).

Proactive Action is Supported by EPA's Trust Responsibility to Indian Tribes

In its proposed policy for relations with Indian Tribes, EPA states that it should "consult on a government-to-government basis with tribal governments when EPA actions and decisions may affect tribal interests."¹³ Furthermore, that policy provides that EPA should work to ensure "the close involvement of tribal governments and gives special consideration to their interests whenever EPA's actions may affect Indian country or other tribal interests."¹⁴

Six federally recognized tribes in the Kvichak and Nushagak River drainages of Southwest Alaska (Nondalton Tribal Council, Koliganik Village Council, New Stuyahok Traditional Council, Ekwok Village Council, Curyung Tribal Council and Levelock Village Council) have requested EPA to proactively use its 404(c) authority to protect Bristol Bay. In their request, these federally recognized tribes identified specific unacceptable and adverse impacts from a development such as the potential Pebble Mine that would directly affect tribal interests. The Bristol Bay Native Association (a non-profit corporation and tribal consortium serving the 31 federally recognized tribes in the Bristol Bay region) and Bristol Bay Native Corporation (a multi-billion dollar developer and the largest land-owner in the Bristol Bay region representing almost 8,700 Native shareholders) filed similar requests with EPA. Consequently, early EPA action would fulfill EPA's Trust Obligation as well as Congressional Intent with regard to CWA Section 404 (c).

September 2009 available at http://www.epa.gov/ogwdw000/ccl/pdfs/ccl3_docs/fs_cc3_final.pdf. (including, among other metals, molybdenum, which is proposed to be mined from the Pebble claims).

¹¹ See Northern Dynasty Mines Inc., Pebble Project Application for Water Right, North Fork Koktuli River (July 7, 2006), available at <http://dnr.alaska.gov/mlw/mining/largemine/pebble/2006/swnfkorig.pdf> at Exhibit A, pp. 1-33; see also Knight Piesbold Consulting, Northern Dynasty Mines, Inc., Tailings Impoundment A Initial Application Report (Sept. 5, 2006) Figures, available at <http://dnr.alaska.gov/mlw/mining/largemine/pebble/2006/damafig.pdf> at Figure 3.1.

¹² Computer-generated estimate by SkyTruth, September, 2010 based on NMD current resources estimates (see footnote 5).

¹³ EPA Policy on Consultation and Coordination with Indian Tribes, dated June 9, 2010

¹⁴ Id.

EPA Should Implement CWA §404 (c) Process Immediately

Considering the ecological and cultural values at risk in this watershed, EPA is justified in taking early action to protect the Bristol Bay watershed. In addition to promoting efficient and timely use of resources, EPA's immediate action to implement Section 404(c) would also help to address local societal stressors associated with the fear and uncertainty of the local inhabitants related to potential development of the proposed Pebble Mine. An example of this local stress was demonstrated when previous attempts by PLP to engage the community with a "technical working group" collapsed when PLP was unwilling to share data between the company and state and federal regulators. PLP refused to share raw data which caused great frustration for EPA and others and resulted in the cancellation of the group. The community felt it was left out of any significant role related to future use of the lands. EPA's commitment to perform a scientific assessment of the Bristol Bay watershed is positive step for all involved, however, EPA must ultimately and without delay implement the 404(c) process. Now is the time to protect this area as it is intact and functioning, providing irreplaceable resources that fuel the local economy.

Previous experience with EPA's use of the 404(c) authority demonstrates the business community's desire for certainty. For example, in the Spruce determination,¹⁵ a significant complaint was that EPA waited too long to use its authority and that EPA's attempt to withdraw the lands created uncertainty for business and should have been done earlier. A potential Pebble Mine and associated facilities pose unacceptable and adverse effects to Bristol Bay's resources and people. EPA, by acting now to implement 404(c) authority, can also save the United States Government from expending valuable financial and personnel resources. Further, EPA's immediate action would benefit all stakeholders as it sends a clear message about the types of projects that are not appropriate for this area.

In sum, EPA has the legal authority and scientific justification to immediately initiate the CWA §404(c) process to protect the resources of the Bristol Bay watershed affected by the proposed Pebble Mine project.

¹⁵ See EPA, Spruce No. 1 Mine 404(c) Questions & Answers for Web Posting, Oct. 16, 2009, http://www.epa.gov/owow/wetlands/pdf/spruce_1_Oct_16_2009_q_and_a.pdf

PROTECT BRISTOL BAY

The Case for Stopping Pebble Mine and Permanently Protecting Bristol Bay, Alaska



Robert Glenn Ketchum

PEBBLE MINE: A THREAT TO JOBS, WATER AND A WAY OF LIFE

The Pebble deposit is a vast low-grade deposit of gold and copper located in the headwaters of the Kvichak and Nushagak Rivers in Bristol Bay, Alaska. If built, Pebble would be one of the largest mines in the world. It would also cause incredible harm to the world's largest wild sockeye salmon fishery. The Pebble Limited Partnership (PLP) has not released its final mine plans but company executives have said

that the Pebble mine complex, which would cover some 54.5 sq miles based on most recent PLP estimates, would produce between 2.5 and 10.78 billion tons of waste including acid and heavy metals that will have to be treated in perpetuity. Any release of this waste into the surface or groundwater has the potential to damage Bristol Bay's salmon and rainbow trout populations and the people who depend on them.



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STOPPING PEBBLE MINE IS GOOD FOR BUSINESS



Currently the Bristol Bay salmon industry provides over 10,000 jobs. In 2008 (most recent data) the total wholesale value for commercially caught Bristol Bay salmon was over \$300 million. Estimates also show that over \$75 million was spent in Alaska on Bristol Bay sport fishing

trips. For 10,000 years this fishery has sustained the indigenous people of the area – most of whom still rely on their subsistence fishery as a significant part of their non-cash income. For 130 years this has been sustainably managed as a commercial fishery. Pebble puts all of this at risk.

LOCAL RESIDENTS ARE OVERWHELMINGLY OPPOSED TO PEBBLE

Local opposition to the proposed Pebble mine is strong, well documented and growing.

The largest Native corporation in the area, Bristol Bay Native Corp. (BBNC) passed a formal resolution against the mine project in December 2009. BBNC represents 7,800 shareholders with ancestral ties to Bristol Bay. One month later, in January 2010, the largest community in Bristol Bay, the city of

Dillingham, passed a similar anti-Pebble resolution. The sentiment expressed in the BBNC and Dillingham resolutions is supported by recent data from polling of Bristol Bay residents as well as dozens of resolutions from entities and communities around the region. Polls found that 79 percent of respondents thought the mine would damage Bristol Bay's wild salmon fishery¹. Some 73 percent said they opposed the Pebble project.

"I grew up here in New Stuyahok and have been living a subsistence lifestyle like many others. I am a mother and my son wants to hunt and fish when he grows up. So we have to stop the Pebble Mine and think of our future, for the children are our future. How can we still have a subsistence lifestyle after the mine?"

Stacey Neketa,
Bristol Bay resident

¹ Poll results are published at: <http://community.adn.com/adn/node/143652>





Robert Glenn Ketchum

THE STATE OF ALASKA HAS FAILED TO PROTECT BRISTOL BAY

The Alaska Department of Natural Resources (DNR) manages nearly 12 million acres of state land in the Bristol Bay watershed including the land where Pebble is proposed. In 2005, DNR released its current Bristol Bay Area Plan which reversed decades of balanced resource management and suddenly favored mining development by opening

its entire 12 million acres for mining and reducing salmon habitat protections by 94 percent. Simply put, DNR is gambling with the future of Bristol Bay and the thousands of people who depend on wild salmon for their jobs and survival.

Several pieces of protective legislation have been introduced in

the Alaska Legislature but none have been scheduled for a vote in either the State House or Senate despite widespread support. Legislative foot dragging continues despite a recent ruling from the Alaska Board of Fisheries requesting the Alaska Legislature take action to bolster safeguards for fish, wildlife and water in Bristol Bay.

THE OBAMA ADMINISTRATION SUPPORTS BRISTOL BAY CONSERVATION

In announcing a recent decision to cancel lease sales for 2011 oil drilling in the North Aleutian Basin (offshore of Bristol Bay), U.S. Interior Secretary Ken Salazar said that the Bristol Bay region is one place that is "simply too special to drill" and a "national treasure." Even while moving forward with development in other areas, the Obama Administration specifically sought to afford protections to the Bristol Bay area, with its world-class sockeye salmon runs and abundant wildlife.



Ben Knight



LOCAL TRIBES, COMMERCIAL FISHERMEN AND SPORTSMEN CALL ON EPA FOR HELP

Due to the lack of protection for subsistence, commercial, and sport fishing in Bristol Bay and the looming threat of mining, the following tribes and organizations have asked the Environmental Protection Agency to initiate a Clean Water Act 404(c) action and permanently protect its waters and wetlands: Nondalton Tribal Council, Koliganek Village Council, Ekwok Village Council, Curyung Tribal Council, Levelock Village Council, New Stuyahok Traditional Council, AK Independent Fisherman's Marketing Association, Bristol Bay Regional Seafood Development Association, and Trout Unlimited.

The EPA has the authority and an unprecedented opportunity to safeguard this unique and valuable habitat and the health of local people by exercising its Clean Water Act Section 404(c) authority to protect the Bristol Bay watershed. The unique conditions of the Bristol Bay headwaters justify an immediate action by EPA to prohibit dredge and fill activity related to large-scale mining.



Trout Unlimited's Alaska Program works to preserve, protect and restore wild salmon and trout populations throughout Alaska. Through sound scientific data, strong grassroots outreach and advocacy, and hands-on involvement in conservation projects we protect some of the most pristine and prized rivers on the planet, restore those that need some help, and engage the next generation of coldwater stewards in Alaska's natural heritage.

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section 3

RECENT MEDIA HIGHLIGHTS

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HIGHLIGHTS OF MEDIA COVERAGE

FEBRUARY 2011



The Save Bristol Bay campaign generated considerable, widely circulated media coverage in February. More than 300 media outlets ran or produced stories about the EPA's decision to conduct a scientific assessment of the Bristol Bay watershed. And the nation's newspaper of record – The New York Times – wrote a strong, influential editorial in favor of the assessment and protecting Bristol Bay. Here are a few highlights, for a full list of coverage, see www.SaveBristolBay.org

The New York Times

The Risk to Bristol Bay

Editorial • February 13, 2011

1-4

Last year, the Obama administration permanently banned oil drilling in Alaska's Bristol Bay, America's richest salmon fishery and the heart of a \$2.2 billion regional fishing industry. One huge threat to this extraordinary ecosystem remains: a proposed gold and copper operation known as the Pebble Mine. If built, it would affect a huge area of clear-running headwater streams and wetlands that feed the bay.

Responding to urgent requests from nine native tribes that depend on the headwaters for subsistence, the federal Environmental Protection Agency has now announced that it will assess the risks to the bay from mining and commercial projects in general.

This is very good news. The agency obviously cannot prejudge the study's outcome, but its announcement pointedly called attention to Bristol Bay's "extraordinary importance" as a salmon fishery and source of food and income for local residents. It also called attention to its obligation under the federal Clean Water Act to block any project that would have an "unacceptable adverse effect" on water quality and wildlife.

Anglo American, the London-based multinational powerhouse behind the project, says it can extract the minerals safely. But historically the mining industry has done a sloppy job of protecting the environment. Mining residues, like sulfide-laced rock, are toxic. No matter how hard the company tries to sequester them — it proposes to build a 740-foot-high dam to contain the waste — an earthquake or other disturbance can jar them loose.

The people of Alaska came close to blocking the project themselves in a 2008 referendum. Three former governors, including two Republicans, and Senator Ted Stevens spoke out against the mine. Industry, however, spent \$12 million on advertising about the mine's economic benefits; that, plus a last-minute pro-mining push by Gov. Sarah Palin and her administration, turned the tide in industry's favor.

The E.P.A. is right to do this study. We are certain it will find that the mine presents unacceptable risks and should not be allowed to proceed.

A version of this editorial appeared in print on February 14, 2011, on page A26 of the New York edition.

The Washington Post

EPA to study impacts on Bristol Bay watershed

By BECKY BOHRER

The Associated Press • February 7, 2011

JUNEAU, Alaska -- The U.S. Environmental Protection Agency plans to study how a world-class copper and gold prospect could affect the Bristol Bay watershed and that region's premier commercial sockeye salmon fishery.

The agency said it initiated the study after being petitioned by tribes and others worried about the development of the Pebble Mine - a decision cheered by conservationists Monday. But an official behind the proposed Pebble Mine project and Gov. Sean Parnell questioned the need for the study.

John Shively, chief executive of Pebble Limited Partnership, said it's premature, noting it's not clear yet what any project would look like. He said the proposal is still being formulated and that it's not likely the company will be ready to seek permits this year.

Parnell's spokeswoman, Sharon Leighow, said the administration believes it would be better to wait for the permit applications before deciding what additional data and scientific analyses are needed to make "competent permitting decisions." She also noted that Parnell has maintained that the fishery will be protected under existing permitting processes.

The issue is divisive, with groups on both sides of the issue running television ads to advocate - with the tone and fervor of a political campaign - for or against a mine.

Critics have said the proposed mine could have a footprint covering 15¹/₂ square miles, with an open pit and maze of roads and power lines that could fundamentally alter the landscape and disrupt a way of life in rural Alaska. Supporters have acknowledged the development could be large but have countered that it also could last for decades, providing great opportunities for the region, including an infusion of long-term jobs.

The state Legislature last year redirected \$750,000 for a third-party "scientific and multidisciplinary study" of a potential development but questions were raised on the best approach to take with the study. An aide to the new chairwoman of the Legislative Council, charged with overseeing the effort, did not immediately know where that effort stood.

EPA Regional Administrator Dennis McLerran said in a statement that gathering information and getting public comments now - before development occurs - "just makes sense."

"Doing this we can be assured that our future decisions are grounded in the best science and information and in touch with the needs of these communities," he said. "We look forward to working with Alaskans to protect and preserve this valuable resource."

EPA said the study of the Bristol Bay watershed will not be limited to mining projects but will "consider the effects of large-scale development in general." It plans to hold two sets of public meetings in Anchorage and in the Bristol Bay region, gathering public comments during each round. A spokeswoman, Marianne Holsman, said the agency hopes to hold the first set in six to nine months, with the goal of presenting preliminary findings of the analysis. The second round would take place about a year from now, following scientific peer review of the assessment.

Leighow said the EPA's information-gathering process hasn't been clearly defined, leaving the administration skeptical that it will "add value." Tim Bristol, director of Trout Unlimited's Alaska program, called it a "great first step toward protecting Bristol Bay from the dangers of Pebble Mine."

Parnell, in a supplemental budget request for the current fiscal year, asked the Legislature for more than \$328,000 for litigation "to defend the permitting process on state land."

The budget amendment said the request is to cover the costs of defending state permitting and planning processes in lawsuits tied to numerous projects but centered on Pebble.

Anchorage Daily News

EPA's Science lends sense to Pebble Debate

COMPASS: Other points of view

By CHIP TREINEN • February 13, 2011

Last week, the Environmental Protection Agency announced that it "will conduct a scientific assessment of the Bristol Bay watershed to better understand how future large-scale development projects may affect water quality and Bristol Bay's salmon fishery." While this decision made headlines around the country, as a Bristol Bay commercial fishing business owner and operator, the news really caught my attention.

In the words of the EPA's Regional Administrator, Dennis McLarren, "Gathering data and getting public input now, before development occurs, just makes sense." I can rally in favor of something that makes sense, especially when so much effort has gone into public relations campaigns that are tailored for emotional impact. The "scientific assessment" proposed by the EPA can be a reset of the debate so that "... our future decisions are grounded in the best science and information."

Alaskans deserve a common sense approach when dealing with policy choices that could compromise subsistence, sport and commercial activities as well as families, communities and businesses that rely on the abundance and sustainability of Bristol Bay salmon resources.

Opposition from Bristol Bay fishery stakeholders to the Pebble Mine, as the "large-scale development" in question, should come as no surprise. If developed, miscalculations, accidents or oversights at the mine offer only potentially devastating consequences for the region's aquatic resources. The collateral effects of mining infrastructure, road construction and an influx of people can also have substantial negative consequences for fish habitat.

In the big, complex and fragile ecosystem that is the Bristol Bay watershed, damage to a particular stream or adjacent wetland is impossible to mitigate in any meaningful way regardless of corporate promises to do so. The Exxon Valdez Oil Spill litigation model showed -- with excruciating clarity -- that our legal system works a lot better for the corporate defendant than it does for the fisherman plaintiff. Overall, my fishing business and livelihood looks pretty vulnerable in the face of this particular large-scale development.

Although the Pebble Partnership is still a year or more away from filing for required mining permits that would begin formal analysis of the project by both state and federal authorities, there are already plenty of relevant facts and independent information to assess the basic concept.

No additional data will change the fact that the desired copper, gold and molybdenum ore is in a porphyry deposit. No additional studies are required to show that porphyry deposits -- Pebble included -- are low-grade ores containing sulfides, the source of acid mine runoff that requires eternal vigilance to control.

No additional engineering can significantly reduce the amount of tailings and overburden that will need to be moved to access the ore in quantities necessary for an economically viable project.

No additional study is needed to know that clean water flow and lots of it is the key component of the region's salmon abundance.

Even though the Pebble Partnership hasn't applied for specific mining permits, they have: applied for water rights on Talarik Creek and the South and North forks of the Koktuli River; revealed information on the type, concentration and extent of ore deposits; and publicly floated mine and waste containment plans that defy common sense for a remote, wet, richly productive, and fragile ecosystem located in a seismically active zone.

EPA's decision to plan for a scientific assessment of the Bristol Bay watershed indicates the agency's leadership recognizes the importance of the Bristol Bay salmon resource to the region and the state. However, it remains unclear what form the study will take, what the product of the investigation might be, and if or how it will be used.

From my perspective as a commercial fishing business owner and operator who relies on a fishery resource that is highly vulnerable to large-scale industrial activities, I hope that it will make "sense" to use this proposed assessment as a lead up to a more formal process of evaluation that will give proper deference to Bristol Bay's irreplaceable and perpetually renewable fishery resources.

Charles W. "Chip" Treinen has fished in a variety of Alaska's fisheries from Southeast to the Bering Sea for over 30 years. He has owned and operated a Bristol Bay drift gill net business since 2002 and is vice president of United Fishermen of Alaska. He lives in Anchorage.



EPA's review of Alaska's Bristol Bay includes Pebble mine

PEBBLE: Unusual move comes before permit applications filed

By ELIZABETH BLUEMINK, Anchorage Daily News • February 8, 2011

The federal Environmental Protection Agency said Monday that it will review the consequences of large-scale development projects, such as the proposed copper and gold Pebble mine, in the Bristol Bay watershed.

The EPA said it is launching the review in response to petitions last year from several Southwest Alaska tribes, commercial fishing groups and other organizations opposed to Pebble. Those groups are worried about the potential impact of large-scale mining on Bristol Bay's world-class salmon runs.

The EPA, however, did not give the petitioners what they had requested. The agency declined to formally consider blocking mining waste disposal in waterways downstream of the Pebble deposit. The agency said it might -- or might not -- consider taking that step in the future.

"The Bristol Bay watershed is essential to the health, environment and economy of Alaska," said EPA Regional Administrator Dennis McLerran.

"Gathering data and getting public review now, before development occurs, just makes sense. Doing this we can be assured that our future decisions are grounded in the best science and information and in touch with the needs of these communities," McLerran said.

Section 404(c) of the Clean Water Act empowers the EPA to veto the disposal of dredged material or to put fill in waterways like the major rivers downstream from Pebble. The agency has only rarely exercised that authority, invoking it about a dozen times since the Clean Water Act passed in 1972, including only once in the western United States.

EPA can use the veto authority if it decides that waste disposal into a particular waterway will cause too much harm to aquatic life, recreational areas or drinking water. Usually, the agency doesn't launch the process -- which often includes a public hearing -- unless a developer has already applied for permits to build a project. That hasn't happened yet in Pebble's case. Incensed about the agency's role in some large-scale developments in Alaska, including Conoco Phillips' struggle to expand its Alpine field, U.S. Rep. Don Young has filed legislation this year to revoke EPA's veto authority in the Clean Water Act.

Last year, Gov. Sean Parnell sent a letter to the EPA asking it not to invoke its veto authority. Among Parnell's reasons was that a decision to block permits could undermine the state's land-use authority. The Pebble deposit is located on state land. At least six Bristol Bay tribal governments asked EPA to begin a public review to consider adding protections for the Bristol Bay watershed under the Clean Water Act. Fishing organizations, an eco-tourism group and Native corporations also joined the petition drive. But two other tribal governments in the area asked the agency to delay any action on the matter until the companies seeking to develop Pebble apply for permits.

The companies are not expected to submit permit applications until later this year or next year.

REACTION

The reaction from Alaska's Congressional delegation, the Parnell administration, the mining industry and Pebble opponents was mixed.

U.S. Sens. Lisa Murkowski, a Republican, and Mark Begich, a Democrat, praised the EPA for studying the Bristol Bay watershed instead of preemptively blocking the disposal of mining waste in the region.

But Young attacked the EPA, accusing it of "blatantly circumventing" the permit process and said the decision was indicative of "romper-room style" governance by the Obama Administration.

"What will they be reviewing in the absence of a permit application?" Young asked.

Gov. Sean Parnell wants to protect Bristol Bay fisheries under the existing rules and questions the value of the EPA's review, which is still not clearly defined, said his spokeswoman Sharon Leighow.

"It particularly concerns us that EPA is initiating this process before any projects have been proposed," Leighow said.

In contrast, the administrator for the Ekwok Tribal Council, one of the tribal governments that petitioned the EPA, said he's happy with the agency's decision and thinks a study will ultimately prevent mine waste from being disposed into salmon streams.

"We believe once they get their data in, there's no other decision they can make," said Rick King, the Ekwok tribal administrator.

Bob Waldrop, who heads one of the several Alaska commercial fishing groups that petitioned the EPA last year, said he is "pleased but not ecstatic" by the agency's announcement.

Waldrop said he's glad that EPA is now taking a bigger role in reviewing Pebble. He said it was a "very deft and appropriate move" by the agency. Yet it falls several steps short of what his group, the Bristol Bay Regional Seafood Development Association, and others had hoped for, he said.

"There's no decision at the end of this," he said.

John Shively, who heads the Pebble Partnership, the two-company venture hoping to develop the massive mineral prospect, had no outright objections to the EPA review.

Shively said he's glad that the EPA so far has not vetoed future permits in the Bristol Bay region. It isn't correct for EPA to do that before anyone applies for permits, he said.

He said the Pebble Partnership will begin releasing some of its scientific studies of the Pebble deposit this year.

Steve Borell, executive director of the Alaska Miners Association, said the EPA's decision not to invoke its veto authority at this time is "good news."

"They haven't shut off (Pebble), so I think the science will speak for itself," he said.

WHAT'S NEXT?

EPA said its scientific review will focus on the Nushagak and Kvichak river drainages, both downstream of the Pebble deposit.

McLerran said the agency will compile a peer-reviewed report on the watersheds that will go out for public comment in six to nine months. A final version of the report will be published in nine months to a year, he said.

Regional and Washington, D.C.-based EPA staff will be involved in the review, he said. At the end of it, the EPA regional office in Seattle "will be charged with making some decisions," he said.

"The petitions are on our mind but we have a lot of options," he said.

In the coming year, the EPA plans to host public meetings and gather information from the mining companies and others who have been studying Pebble.

54 jewelers nix gold from Alaska bay

By SANDY BAUERS, Philadelphia Inquirer GreenSpace • February 10, 2011

More and more, people are paying attention to where their jewelry comes from.

For me, anything that comes from my husband is just fine. Just kidding. I've seen campaigns aimed at avoiding certain corals. A friend who just got engaged researched just what kind of diamond she wanted, based on whether it was mined in an environmentally friendly way.

Now, just in time for Valentine's Day -- touted as the biggest day for sales of gold jewelry in the U.S. -- 54 major jewelers have taken a stand on a proposed gold mine in Bristol Bay, Alaska.

They have pledged not to use gold from the proposed Pebble Mine, which is at the headwaters of Bristol Bay in SW Alaska.

These are big forces at work. The mine would be the largest open-pit mine in America. And environmentalists say it would threaten the world's largest salmon fishery.

And the jewelers represent \$5.75 billion in annual sales. They include Zale Corp., Helzberg Diamonds and Boucheron. Yesterday's announcement -- made by a mining reform group, a Bristol Bay seafood organization and an association of Alaskan villages -- said is the first time a large number of jewelers have taken a position on a specific place or mine. Jewelers are an important voice in this issue because jewelry demand accounts for 80 percent of annual mined production of gold, the groups said.

More from the press release:

Commercial fishermen and the Alaska Native villages of the region who rely on the salmon fishery, which generates roughly \$450 million annually and supplies 10,000 jobs, are asking the Environmental Protection Agency to head off the Pebble project by invoking a provision in the Clean Water Act that would restrict the dumping of mine waste in streams, wetlands and rivers that drain into the Bay. On Monday, the EPA announced that the agency is launching a scientific review of the suitability of large-scale mining in the Bristol Bay watershed, in response to requests from tribes and others. The EPA's action does not represent any regulatory decision by the agency; but "represents EPA's proactive steps to better understand the watershed and gather important scientific information."

"Salmon is life and our red gold," said Kim Williams, executive director for Nunamta Aulukestai (Caretakers of our Land), an association of nine Alaska Native village corporations in Bristol Bay. "It sustains our economy and our people. «The support from jewelers and the recent announcement by EPA are a great gift this Valentine's Day. We're confident that this scientific review will show clearly why Bristol Bay should be protected under Section 404(c)."

"More than half the world's sockeye spawn and are harvested in the waters of Bristol Bay," said Bob Waldrop, executive director of the Bristol Bay Regional Seafood Development Association, which represents 1,865 driftnet fishermen. "For the fishery to continue and prosper, the region's water and habitat must be protected."

section 4

GROWING SUPPORT FOR PROTECTING BRISTOL BAY

LOCAL AND REGIONAL ENTITIES

Bristol Bay Native Corporation
Bristol Bay Native Association
Bristol Bay Economic Development Corporation
Curyung Tribal Council
New Stuyahok Traditional Council
Ekwok Village Council
Levelock Village Council
Nondalton Tribal Council
Koliganek Village Council
Ekuk Village Council
Twin Hills Village Council
Nunamta Alukestai
Aleknagik Natives Limited
Choggiung Village Corporation
City of Dillingham
Clarks Point Village Council
Clarks Point Saguyak, Inc.
City of Ekwok
Koliganek Natives Limited
New Koliganek Native Council
Manokotak Natives Limited
Manokotak Village Council
New Stuyahok Limited
City of New Stuyahok
City of Nondalton
Togiak Natives Corporation
Nushagak-Mulchatna/Wood Tikchik
Land Trust
Togiak Natives Limited

Alagnak Lodge
Alaska Sportsman's Bear Trail Lodge
Blueberry Island Lodge
Branch River Air Service, Inc.
Bristol Bay Lodge
Bristol Bay Sportfishing
Igiugig Lodge, LLC
Epic Angling & Adventure, LLC

Jake's Nushagak Salmon Camp
Katmai Air, LLC
Katmai Guide Service
Katmailand, Inc.
Kvichak Anglers
Mission Creek Lodge
Mulchatna Wilderness Lodge
Naknek River Camp
No See Um Lodge, Inc.
Rapids Camp Lodge
Royal Coachman Lodge
Royal Wolf Lodge
Ouzel Expeditions, Inc.
Painter Creek Lodge
Quartz Creek Lodge
Rainbow River Lodge
The Alaska Sportsman's Lodge
Togiak River Outfitters, LLC
Reel Wilderness Adventures, Inc.
River King Outfitters



ALASKA BASED ENTITIES

ORGANIZATIONS

State of Alaska Board of Fisheries
United Fishermen of Alaska
Bristol Bay Regional Seafood Development Association
Alaska Wilderness Recreation & Tourism Association
Alaska Association of Student Governments
Alaska Inter-Tribal Council
Alaska Jig Association
Alaska Fly Fishing Adventures
Alaska's Legend Lodge

LODGES & BUSINESSES

3 Rivers Fly and Tackle
Alaska Alpine Adventures
Alaska Backcountry Hunters and Anglers
Alaska Bear Guides
Alaska Backcountry Hunters and Anglers
Alaska Bowhunters Association
Alaska Fly Anglers, Inc.
Alaska Fly Fish
Alaska Fly Fishing Goods
Alaska Glacier Guides, Inc.
Alaska Rainbow Adventures
Alaska Rainbow Lodge
Alaska Salmon Camp, Inc.
Alaska Trophy Fishing Safaris
Alaska West
Alaska Wilderness Trips, Inc.
Alaska's Boardwalk Lodge
Alaska's Wild River Lodge
Alaskan Leader Tours
Arctic Wild, LLC
Baranof Wilderness Lodge
Beyond Boundaries Expeditions
Blue Fly Bed & Breakfast and Guide Service
Blue Mountain Lodge
Brightwater Alaska, Inc.
Cape Ommaney Lodge
Chinook Tours
Classic Casting Adventures
Copper River Lodge
Crystal Creek Lodge
Denali Fly Fishing Guides, LLC

EPIC Angling and Adventure, LLC
Fishing Bear Lodge
Glacier Guides, Inc.
Great Alaska Adventure Vacations
Hitaluga Guide Service, LLC
Kenai Area Fisherman's Coalition
Mission Creek Lodge, LLC
Mountain View Sports Center
Muskeg Excursions
Ocean Point Alaska Adventures
River Wrangellers
Saltery Lodge
Sea Hawk Air
Talaheim Lodge
Westwind Guide Service
Women's Fly Fishing



NATIONAL

ORGANIZATIONS

National Tribal Water Council
Pacific Seafood Processors Association
The Nature Conservancy
American Rivers
Arizona Wildlife Federation
Berkley Conservation Institute
California Waterfowl Association
EARTHWORKS
Idaho Wildlife Federation
Izaak Walton League of America
Louisiana Wildlife Federation
Montana Wildlife Federation
National Wildlife Federation
New Mexico Wildlife Federation
National Parks Conservation Association
National Wildlife Federation
Natural Resources Defense Council
The Bristol Bay Alliance
The Wilderness Society
Trout Unlimited
Washington Wildlife Federation
World Wildlife Fund

OUTDOOR INDUSTRY

7 Days Outdoors
7Eye
Abel Quality Products
Angler's Obsession
Angling Exploration Group
Angling Trade magazine
Barry & Cathy Beck
Basser Millyard Pty, Ltd.
Bauer Fly Reels
Bear Bay Lodge
Beck Photography – Cathy and Barry Beck
Berkley Conservation Institute
Beulah Fly Rods
Big Sky Angler Outfitters
Big Sky Inflatables, LLC
Blue Mountain Lumber Co, Inc.
Bob Marriott's Flyfishing Store
Bob Mitchell's Fly Shop
BossTin

Brian O'Keefe
Brian Russell
Bristol Bay Adventures
California Fly Fisher
California School of Flyfishing
Canvasfish.com
Cape Ommaney Lodge
Capt. Kris Suplee Guide Services
Carbon Flybox Co.
Castaway Films
Castlow Group
Central Coast Fly Fishing
Chota Outdoor Gear
Clackacraft Drift Boats
Classic Casting Adventures
Cliff Outdoors
Cloudveil
Copper River Lodge
CND Custom Design
Cortland Line Co.
Costa del Mar
Crescent H Ranch
Cumings Landing Nets
Dan Bailey
Deep Creek Flyfishers
Deneki Outdoors
Departure Publishing LLC
Dr. Slick
Dragon Tackle International Ltd.
Katmai Lodge
Echo Rods / Rajeff Sports
Elkhorn Fly Rod & Reel
European Fishing Tackle Trade Association
Ex Officio
Far Bank Enterprises
Federation of Flyfishers
Federation of Flyfishers, SW Council
Fetha Styx
Filson
Fish & Fly Ltd.
Fish Alaska Magazine
Fishing with Fly Guide Service
Fishpond
Fladen Fishing AB
Fly & Fly, Ltd.
Fly Fishing Film Tour
Fly Fisherman Magazine

FlyfishMagazine.com
Fly Logic
Fly on the Wall Travels, LLC
Flyfish Radio.com
FlyFishMagazine.com
Fly Fishing Show
Fly Treks
Fly Water Travel LLC
Freestone Boatworks, Inc.
Freestone Flyfishers
Frontier Media, Inc.
Frontiers Travel
G. Loomis
Gallatin River Lodge
Galvan Fly Reels
Gamakatsu
Gamma Technologies
Glacier Guides, Inc.
Great Alaska International
Adventures Vacations
Great Lakes Fly Company
Guideline
H. Turrall & Co.
Hackle Shack Fly Shop
Halco
Hardy & Greys Limited
Hardy Greys North America
Hatch Outdoors
Hawaii Fishing & Boating Association
Hendrix Outdoors
High Country Flies
Hitalga Guide Service, LLC
HMH Visers
Ibex
Islander Precision Reels
Jeff Bright Steelhead Flyfishing Expeditions
Jeff Kennedy Studio
Jim Teeny, Inc.
Juneau Flyfishing Goods
Kaenon Polarized
Kachemak Guide Bureau
Kenai River Cabins
Korkers
L.L. Bean
Lateral Line
Less Ferry Anglers

Not Worth The Risk

"Nothing bad will happen. Trust us." Now where might we have heard that before?

Even with the latest technology and best intentions, accidents do happen. Are we willing to risk one of the world's richest hunting grounds to a risky foreign-owned scheme to develop massive mines in southwest Alaska?

Alaska's famed Bristol Bay region is home to some of the finest hunting on the planet for caribou, moose, and brown bear. These rugged and remote lands also support the biggest wild salmon fishery on the planet. Alarming, 2,500 square miles of prime habitat in southwest Alaska is at risk of being transformed into a massive mining district. It's hard to imagine the region's game and fish doing well among a network of roads, open pits, and toxic tailings ponds.

Hunting is a proud American tradition. For hunting to continue, we need strong and stable game populations and the habitats to support them. In this case, the risk of industrial development to future hunting opportunities and our hunting heritage is simply too high.

Protect Bristol Bay.

To learn more, visit www.SportsmansAlliance4ak.org

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 LOOP
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 March Brown
 Marlows on the Kenai
 Marryat & Smith
 Marryat Reels
 Mason Tackle Company
 Mayfly Enterprises Ltd. (Waterwisp)
 Midwest Custom Fly Rods
 Monster Fish Import.com
 Montana Fish Man Guided Fishing
 Montana Fly Company
 Morris Sporting Group Publications
 Mustad Ventures
 National Wildlife Federation
 Nautilus Reels
 New Mexico Trout
 No Brainer Expeditions
 Norstream A.S.
 North American Media Group
 Northwest Anglers Experience
 Nushagak River Fishing Lodge
 Oakley
 Off the Beaten Path
 OPM Fishing Tackle, Ltd.
 Optic Nerve / Mountain Shades
 Orvis
 Outcast Sporting Gear
 Painter Creek Lodge
 Park City Outfitters
 Pat Ford Photography
 Patagonia
 Pure Fishing USA
 Prairie Pothole Consulting (PPC)
 Pro-Troll
 Rainbow Point Lodge LLC
 Rajeff Sports
 Reel Wilderness Adventures
 Redington
 Renzetti
 Richard Wheatley Ltd.
 RIO
 Rising
 Ro Drift Boats
 Rollcast Productions
 Ross Reels
 RST - Angelgerate GmbH
 Ryan Anderson
 SAGE
 Saint Croix Rods

St. Joe River Valley Fly Fishers
 San Jose Flycaster
 Sierra
 Scott Fly Rods
 Shadowcaster Charters
 Shallowfish.com
 SIMMS
 Sketch and Release
 Smith Sport Optics, Inc.
 Snake River Outfitters
 Snowbee USA
 Solvkroken A.S.
 Spinmade Oy
 Sportsystem AB
 StoneFly Vineyards
 Streamworks, Inc.
 Sturm, Ruger & Co. Inc.
 Sweetwater Travel
 Targus
 Temple Fork Outfitters
 The Anglers Bookstore
 The Best of Kamchatka
 The Fly Fishing Show
 The Fly Shop - Travel Dept.
 The School of Fly Fishing
 The Stonefly Inn and Outfitters
 The Trout Underground
 The Waterworks/Lamson
 Thomas & Thomas Fly Rods
 Tibor Reel Corporation
 Tight Line Fly Fishing
 Tosh Brown Photography
 Triangle Fly Fishers
 Turneffe Flats Resort - Belize
 Umpqua Feather Merchants
 USAonthefly.com
 Vision Group, Ltd.
 Vosseler Pro-Flyfishing
 Westwind Guide Service
 Wapsi
 Whitefish Studio
 Wilcox Marketing and Sales
 William Joseph
 Woolrich
 Yellow Dog Fly Fishing Adventures
 Zalt AB
 Zpey System A.S.
 American Flyfishing Trade Association
 American Sportfishing Association
 Arizona Flycasters Club
 Association of Northwest Steelheaders

Boulder Flycasters
 Camp Irem Hunting Club
 Campfire Club of America
 Candlewood Valley TU
 Pootatuck Watershed Association, Inc.
 Colorado Wildlife Federation
 Columbia Pacific Anglers Association
 Dallas Safari Club
 Deep Creek Flyfishers
 Federation of Fly Fishers
 Federation of Flyfishers, SW and S
 Councils
 Filson
 Gila Trout Chapter
 Golden West Women Flyfishers
 Greywolf Fly Fishing Club
 Heart of America Flyfishers
 Hellgate Hunters and Anglers
 Hunting Life.com
 Jefferson Rod and Gun Club
 Kenai Area Fisherman's Coalition
 Northwest Guides and Anglers
 Association
 Northwest Sportsfishing Industry
 Association
 Oregon Anglers
 Overlake Fly Fishermen
 Pacific Coast Federation of Fishermen's
 Associations
 PA Federation of Sportsmen's Clubs
 Payton Flycasters Club
 Recreational Fishing Alliance
 Renewable Resources Coalition
 Santa Cruz Fly Fishermen Club
 Santa Lucia Fly Fishers
 Southwest Missouri Fly Fishers
 Theodore Roosevelt Conservation
 Partnership
 The Knowledge Group, Inc.
 Triangle Fly Fishers
 Trout Unlimited
 Tulsa Fly Fishers
 Washington Fly Fishing Club
 Waterwatch of Oregon
 White Mountain Fly Fishing Club
 Wildlife Forever (North American
 Hunting Club & North American
 Fishing Club)
 Wilderness Fly Fishers
 Wild Steelhead Coalition
 WorldCast Anglers

JEWELERS

Tiffany & Co.
Zale
Jostens
Mappin & Webb
Watches of Switzerland
Fraser and Hart
Helzberg Diamonds
Boucheron
Herff-Jones
Goldsmiths
Ben Bridge
Birks & Mayors
Commemorative Brands, Inc.
John Hardy
Beaver Brooks
JewelMak
Security Jewelers
Reflective Images
Brilliant Earth
CRED Jewellery
Hacker Jewelers
Leber Jeweler
Ingle & Rhode
Oria Blakes Fine Jewelry
Fifi Bijoux
April Doubleday
McTeigue & McClelland
Blair Lauren Brown
Toby Pomeroy
Michaels Jewelers
Open Source Minerals
Real Jewels
Fair Trade in Gems and Jewelry
Alberto Parada
Ingle & Rhode
Allyson's Designs
Ken Vickerson Designs
Refined Designs
ADA - JITO
John Leonard Studios
Penabilli
Claudia A. Designs
Professor Sharon Church
Alexandra Hart
Rachelle Thiewes
Molly Dingledine Jewelry
Shelby Fitzpatrick Jewelry
Bryan Park Metalsmithing

Donald Beaubier Goldsmith
Christine Bossler
Oria
John Hardy Otley Jewellers
The Ethical Jeweller
Abigail Brown
EE Robbins

CHEFS & RESTAURANTS

Aaron Willis
Summit House
Adam Danforth
Marlow and Daughters
Adam N. Hoffman
Rover's Restaurant
Alan Hummel
New Seasons Market
Amy Grondin
Grondin Consulting
Angela Toner
Personal Chef Angela
Anna Li
The Essential Baking
Company
Anthony Polizzi
Steelhead Diner
Ashley Koff
Ashley Koff Approved
Barbara Aderson
Goddess Personal
Chef Service
Barton Seaver
Blue Ridge Restaurant
/ For Cod and Country
Becky selengut
Cornucopia Cuisine
Bill Morris
The Rainier Club
Bryan Dolieslager, CCM, CEC
Evergreen Country Club
Bryan Szeliga Lucy's Table
Bun Lai Miya's Sushi
Buzz Hufford
Bon Appetit Management
Company

Casson Trenor
Tataki Sushi and Sake Bar
Cathy Whims
Nostrana
Charles Finkel
The Pike Pub and Brewery
Chris Logsdon
Chris Logsdon Catering
Christine Keff
Flying Fish
Christopher Wang
Sea Education Association
Connie Adams
SeattleDINING.com
Cory Carman
Carman Ranch
Dana Cress
Salty's on the Columbia
David E. Ross
David Ivey-Soto MBA, CEC, CCA
American Culinary Federation
David Knaus
Fresh earth Gardens
David Sauer
OceanWide Seafood
Dustin Ronspies
Art of the Table
Edie Pierson
Simply Seasoned Catering
Edward M Glennon Jr
Back Eddy Bistro
Elaine Johnson
Sunset Magazine
Elaine Osuna
A Cote Restaurant
Eli Penberthy
PCC Sound Consumer
Elizabeth Woessner
The Underground Gourmet
Ellen Jackson
foodprintstyle
Forest Bell
Congressional Country Club
Gavan Murphy
The Healthy Irishman Events
George Rudolph
Sunset Cork Room
Gerard Thompson
Rough Creek Lodge & Resort

Gerard Viverito	Julie Minadeo	Mark Mendez
Savour Fine Catering and Event Design	Southern Wine & Spirits of Nevada	Carnivale
Gina Truhe	Justin Durand	Mark Roberthon
Trattoria Vivolo/Food is My Porn	Athletic Club of Columbus	Cafe Des Amis
Helene Kennan	Justin E Tedford	Marty Cummins
Bon Appetit Management Company	One Twenty Six	The Lemmons Company
Henry Lovejoy	Karen Ripley	Mary Loos
EcoFish, Inc.	Karen Ripley Health Counselor and Whole Food Chef	Chefs' Collaborative member
Hunter Chamness	Kathryn Bliss	Max Chapman
Bones	Rendezvous Grill and Tap Room	Flaming Eggplant Café
Ian A. Ale CEC-CCE-AAC	Ken Martin	Megan Goble
Virginia Culinary School	New Seasons Market	Champagnes Cafe
J. Huston	Kevin Cottle	Meggen Chadsey
Farm to Table Food Services	The Country Club of Farmington	Seattle Chefs Collaborative
Jack Henniger	Kevin Davis	Melissa LeClair
BridgePort BrewPub	Blueacre Seafood	Vibrant Chef Services
Jacquelyn Brassell	Kevin Davis	Michael Lynch
Chef Jax Concepts	Steelhead Diner	Food and Finance High School
Jade Castillo	Kin Lui Tataki	Michael Rosen, CEC
Soiree Catering	Sushi and Sake Bar	The Speedway Club at Charlotte Motor Speedway
Jake Greenberg	Kori Green	Michael Sternberg
Classic Foods, Ltd	korianne Designs	Harry's Tap Room
James Morris	Kristin Kelly	Mike Anderson
Evergreen Country Club	Kristy's Cuisine	Parental Guidance, Inc.
Jane Lee	Kristofor Sandholm	Moses Boone
Jadon Foods	Starfish Brasserie	Colored Planet Connexion
Jarad Gallagher	Kurt Kwiatkowski	Nan Ellis
Lake Chalet Seafood Bar and Grill	Michigan State University	Mendham High School
Jeff McClelland	Kurt Kwiatkowski	Nikki Moore
The Harbour Public House	Michigan State University	FOOD LOVE
Jeffrey Mora	Lisa Lanxon/Chef	Patricia Cyman
Metropolitan Culinary Services, Inc	Cana's Feast Winery	Ranch House Restaurant
Jennifer Girvin	Lisa Schroeder	Patricia Gadsby
Little Brothers Friends of the Elderly	Mother's Bistro & Bar	Falmouth Farmers Market
Jerry huisinga	Lisa Schroeder	Patricia McCormick
Bar Mingo	Mama Mia Trattoria	Patrick Klinger
Joel Chenet	Lola Jane Probert	Burgerville
Mill Bay Coffee & Pastries	Jealous Snails, Llc.	Paul Hutchinson
John arsenault	Marcel Fernandez	Chancellor's Village
Sol	Bottega Grill	Paul Johnson
John Ash	Marcia J Hara	Monterey Fish Market
John Ash & Company	Mark Bodinet	
John Tesar	Copperleaf Restaurant at Cedarbrook Lodge	
DRG Concepts	Mark Dommen	
Joshua Riffle	One Market Restaurant, San Francisco	
Antone Ranch		
Julia Landau		
Slow Food USA		

Quentin Topping
 Google
 Ramona White
 Oregon Culinary institute
 Ray Brantley
 Rosewood Mansion on
 Turtle Creek
 Ray Chen
 Marine Club
 Raymond Carpenter
 Laurel Creek Country Club
 Raymond Ho
 Tataki Sushi and Sake Bar
 Rick Moonen
 RM Seafood
 Rob Salvino
 Terra Preta Sales
 Robert Kramer
 Higgins Restaurant
 Robert Marcarelli
 PPX Hospitality - Restaurant
 Consultant
 Robin Leventhal
 Crave, LLC
 Roland G. Henin, CMC
 Delaware North Companies
 Ronnie MacQuarrie
 New Seasons Market
 Rose Ann Finkel
 Pike Brewing Company
 Roy Breiman
 Copperleaf Restaurant
 Roy Finamore
 TASTYcentral.com
 Sarah Schafer
 Irving Street Kitchen
 Scott Justis
 Nelbud Service Group
 Scott Thomas
 Whitetail Club
 Seth Caswell
 Emmer&Rye Restaurant
 Sharon Montoya-Welsh
 Oyster Cookery
 Sheila Bowman
 Seafood Watch Program,
 Monterey Bay Aq.
 Stacey givens
 The Side Yard Farm

Stephen Sheer
 CHEF FLEX
 Susan Brothers Williams
 Jack's Cafe
 Suzanne Scalfaro
 Suzanne Scalfaro, Chef LLC
 Tana Hickey
 New Seasons Market
 Thierry Rautureau
 Rover's and Luc
 Tim Stein
 Hospitality Sustainability Resources
 Timothy P. Keating
 The Flying Fish Cafe
 Tom Colicchio
 Craft Restaurants, 'wichcraft,
 Colicchio & Sons
 Tom Yarter
 New Seasons Market
 Tony Meyers
 Serratto
 Tracy Green
 Newport High School
 Tracy Lamothe
 Riva's Trattoria, Inc.
 Tricia Bailey
 Tricia Bailey
 Tricia Butler
 Sassafras Catering
 Vincent Clyne, CWP
 Chefscool, Clyne and Murphy
 Vincent J. Alberici, CEC
 Vito DiLullo
 Ciao Vito
 Wayne Johnson
 Andaluca Restaurant
 William A. Martin
 Tastings Wine Bar & Bistro
 William Alexander
 One. Six One

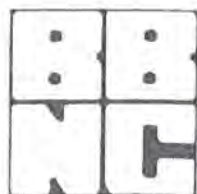


LETTERS OF SUPPORT FOR BRISTOL BAY PROTECTION

Numerous important local, state and national groups have expressed the need for protecting Bristol Bay's fish, wildlife and community resources and many have asked the EPA to initiate the 404c process. Below is a list of some of the key groups; their respective letters follow.

- Bristol Bay Native Corporation
- Bristol Bay Native Association
- A Joint Letter From
 - Nondalton Tribal Council*
 - Koliganik Village Council*
 - New Styahok Traditional Council*
 - Ekwok Village Council*
 - Curyung Tribal Council*
 - Levelock Village Council*
- Ekuk Village Council
- Twin Hills Village Council
- United Fisherman of Alaska
- Bristol Bay Regional Seafood Development Association
- Alaska Independent Fishermen's Marketing Association
- Alaska Wilderness Recreation and Tourism Association
- National Sportsmen's Letter
- The Episcopal Church
- Evangelical Lutheran Church in America
- National Council of Churches USA
- Presbyterian Church (USA) Office of Public Witness
- United Church of Christ, Justice and Witness Ministries
- United Methodist Church, General Board of Church and Society
- Chefs from throughout the United States
- Tiffany & Co.
- The Nature Conservancy of Alaska Statement

If you would like full copies of any of the enclosed letters please contact us at sbrown@tu.org and we will send them to you.



Bristol Bay Native Corporation

Enriching Our Native Way of Life

111 West 16th Avenue, Suite 400 / Anchorage, Alaska 99501 / (907) 278-3602 / Fax (907) 276-3924

August 12, 2010

Dennis J. McLerran, Regional Administrator
Environmental Protection Agency, Region 10
1200 Sixth Avenue, Suite 900
Seattle, WA 98101
Phone: (206) 553-1200, (800) 424-4372
Fax: (206) 553-2955

Via electronic and first class mail

Re: Clean Water Act 404(c) process to prohibit certain lands from use as a disposal site for dredged or fill material

Dear Mr. McLerran:

Bristol Bay Native Corporation (BBNC) respectfully requests that EPA initiate a public administrative process to carefully tailor a prohibition of the discharge of dredged or fill material from the proposed Pebble mine, located on specific land owned by the State of Alaska at the headwaters of the Kvichak and Nushagak River drainages under Section 404(c) of the Clean Water Act. The Act authorizes the Administrator of EPA to prohibit, restrict, or deny the discharge of dredged or fill material at defined sites in waters of the United States (including wetlands) when the use of such sites for disposal would have an unacceptable adverse impact on fisheries, wildlife, municipal water supplies, or recreational areas. This request fully meets those requirements.

The Pebble Limited Partnership (PLP)¹ has mining claims in the Bristol Bay region, and proposes a large scale metallic sulfide mine in this area. The massive scope of PLP's proposed mine, the importance and sensitivity of these river drainages and the known facts about the persistence and permanence of impacts to water quality from this type of mining activity are clear indicators that a mine such as that proposed by PLP would present an unacceptable risk of irreparable harm to water, fishery and wildlife resources.

Bristol Bay Native Corporation Background

BBNC is a for-profit corporation created by Congress pursuant to the Alaska Native Claims Settlement Act (ANCSA) to represent the economic, social and cultural interests of the Native people from the Bristol Bay region of Alaska. BBNC represents almost 8,700 shareholders.

¹ Pebble Limited Partnership is a 50:50 partnership between Northern Dynasty Minerals Ltd and Anglo American PLC.

BRISTOL BAY NATIVE ASSOCIATION
P.O. Box 310
DILLINGHAM, ALASKA 99576
(907) 842-5257

By Full Board of Directors

Resolution 2010 - 32

A RESOLUTION REQUESTING THE ENVIRONMENTAL PROTECTION AGENCY TO INVOKE SECTION 404(c) OF THE CLEAN WATER ACT AS APPROPRIATE IN THE KVICHAK AND NUSHAGAK DRAINAGES OF THE BRISTOL BAY WATERSHED TO PROTECT HABITAT AND EXISTING USES

WHEREAS: The Bristol Bay Native Association (BBNA) is an Alaska Native non-profit corporation and tribal consortium serving the 31 federally recognized tribes in the Bristol Bay Region; and

WHEREAS: BBNA is in support of environmentally responsible economic and community development; and

WHEREAS: BBNA does not support development that is adverse and/or detrimental to the renewable and sustainable resources of the region to include habitat and subsistence, commercial, and sport fishing and hunting; and

WHEREAS: Bristol Bay enjoys a pristine environment, has world-class hunting and fishing, and was recently referred to as a "national treasure" by the Obama administration; and

WHEREAS: BBNA opposes any disposal of waster into any waters that would have an adverse impact on our resources; and

WHEREAS: The Environmental Protection Agency (EPA) under Section 404(c) the Clean Water Act can prohibit or restrict the discharge of dredge or fill material at defined sites in the United States (including wetlands) "when the use of such sites for disposal would have an unacceptable adverse impact on fisheries, wildlife, municipal water supplies, or recreational areas" before an application is filed; and

WHEREAS: The headwaters of the Kvichak and Nushagak River drainages fully meet those requirements under the Clean Water Act; and

WHEREAS: The Environmental Protection Agency should, considering the importance and sensitivity of these river drainages to toxic discharges of any kind, and considering the persistence and permanence of impacts to water quality from any type of toxic discharges, protect the water, habitat and subsistence, commercial, and sport fish and wildlife renewable resources by invoking Section 404(c) of the Clean Water Act; and

WHEREAS: The Environmental Protection Agency should not wait for development permits to be filed by development organizations to protect these scarce, financially viable, sustainable, renewable, and critical resources before taking action.

NOW, THEREFORE BE IT RESOLVED by the Full Board of Directors of the Bristol Bay Native Association that it strongly requests the EPA to use its authority under section 404(c) of the Clean Water Act to protect the habitat and subsistence, commercial, and sport fish and wildlife renewable resources by prohibiting or otherwise restricting discharge of dredged or fill material in the headwaters of the Kvichak and Nushagak River drainages of Bristol Bay; and

BE IT FURTHER RESOLVED that BBNA requests that the EPA take such action prior to any permit application submission to the U.S. Corps of Army Engineers; and

BE IT FURTHER RESOLVED that BBNA requests the EPA to work with the Tribes and other stakeholders to identify routine dredge and fill activities that would not be subject to EPA action under Section 404(c).

Signed: Fred J. Angasen
Chairman of the Board

CERTIFICATION:

I, the undersigned Secretary of the Bristol Bay Native Association, Inc., do hereby certify that the foregoing resolution was duly passed by the Full Board of Directors of the Bristol Bay Native Association and a duly called and noticed meeting on the 17 day of September 2010, and that a quorum was present.

Signed: Robert Huyano
Secretary

A JOINT LETTER

From Six Federally-recognized Tribes
in the Kvichak and Nushagak River Drainages of Southwest Alaska:
Nondalton Tribal Council, Koliganik Village Council, New Stuyahok Traditional Council,
Ekwook Village Council, Curyung Tribal Council, Levelock Village Council

May 2, 2010 (mailed May 21, 2010)

Lisa P. Jackson, Administrator
U.S. Environmental Protection Agency, Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dennis J. McLerran, Regional Administrator
U.S. Environmental Protection Agency, Region 10
Regional Administrator's Office, RA-140
1200 Sixth Avenue, Suite 900
Seattle, WA 98101

Re: Tribes request that EPA initiate a public process under Section 404(c) of the Clean Water Act, to protect waters, wetlands, fish, wildlife, fisheries, subsistence and public uses in the Kvichak and Nushagak drainages and Bristol Bay of Southwest Alaska from metallic sulfide mining, including a potential Pebble mine.

Dear Ms. Jackson and Mr. McLerran:

Our federally recognized tribes, from the Kvichak and Nushagak river drainages of southwest Alaska, have government-to-government relations with the United States, and are represented by the undersigned tribal councils. We are writing with assistance of counsel.

Section 404(c) of the Clean Water Act authorizes EPA to prohibit or restrict the discharge of dredge or fill material, including mine wastes, at defined sites in waters of the United States, including wetlands, whenever EPA determines, after notice and opportunity for hearing, that the use of such sites for disposal would have an "unacceptable adverse effect" on fisheries, wildlife, municipal water supplies or recreational areas. EPA may do so *prior* to applications for permits to discharge such material. 40 CFR 231.1(a). "Unacceptable adverse effect" is defined as:

impact on an aquatic or wetland ecosystem which is *likely* to result in significant degradation of municipal water supplies (including surface or ground water) or significant loss of or damage to fisheries, shellfishing, or wildlife habitat or recreation areas. In evaluating the unacceptability of such impacts, consideration should be given to the relevant portions of the section 404(b)(1) guidelines (40 CFR Part 230).¹

¹ 40 CFR 231.2(e) (italics added). The purposes of the 404(b)(1) Guidelines are "to restore and *maintain* the chemical, physical, and biological integrity of waters of the United States through the control of discharges of dredged or fill material," and to implement Congressional policies

We request that EPA initiate a 404(c) public process to identify wetlands and waters in the *Kvichak and Nushagak river drainages* of southwest Alaska, where discharges associated with potential *large scale metallic sulfide mining*, could be prohibited or restricted due to such effects. This initial scope would include the Pebble deposit (which straddles a divide between these drainages) and other metallic sulfide deposits in the area of that deposit. (We understand that Kemuk Mountain may be the site of another metallic sulfide deposit.) During such a public process, some members of the public may urge a broader or narrower scope. The "scope" of a 404(c) process is one of many issues that should be resolved through a public process. The deposits in the area of the Pebble claims, which precipitate this situation, should be included.

We are addressing this to both of you because: (1) 40 CFR 231.3(a) provides that a regional administrator makes the decision of whether to initiate a 404(c) public process; (2) in this instance, initiating a 404(c) process effectuates three of EPA's national priorities,² and three of EPA's regional priorities;³ (3) initiating a 404(c) process promotes EPA's goal that decisions be based on science, law, transparency, and stronger EPA oversight;⁴ and (4) doing so is consistent with EPA's national priorities of increased oversight of mineral processing⁵ and

expressed in the Clean Water Act. The Guidelines establish a rebuttable presumption against allowing any discharge unless it can be demonstrated that the discharge will not have an unacceptable adverse impact "*either individually or in combination* with known and/or probable impacts of other activities affecting the ecosystems of concern." The Guidelines declare:

From a national perspective, the degradation or destruction of special aquatic sites, such as filling operations in *wetlands*, is considered to be among the most *severe* environmental impacts covered by these Guidelines. The *guiding principle* should be that degradation or destruction of special sites [such as wetlands] may represent an irreversible loss of valuable aquatic resources.

40 CFR 230.1 (*italics added*). The Guidelines address direct, cumulative and secondary effects. 40 CFR 230.11. Secondary effects are those associated with a discharge, but do not result from actual placement of the material, and must be considered prior to agency action under §404. 40 CFR 230.11(h)(1). In this case, a 404(c) process should address potential secondary effects on commercial, subsistence, and recreational fishing and hunting, and public use of parks and preserves. See 40 CFR Part 230, subpart F. All are at issue as discussed herein and in attached letter from counsel, and in the briefing paper attached to enclosed letter to State Rep. Edgmon.

² These include: (1) protecting America's waters; (2) expanding the public conversation on environmentalism and working for environmental justice; and (3) forging strong partnerships between EPA, tribes and states. See EPA's seven national priorities at <http://blog.epa.gov/administrator/2010/01/12/seven-priorities-for-epas-future/#more-636>.

³ These include: (1) working with Tribal Governments to protect and restore the natural resources on which tribal communities rely for their physical, cultural and economic well-being; (2) protecting and restoring watersheds; and (3) promoting sustainable practices and strategic partnerships, including with tribal governments. See EPA's six regional priorities at <http://yosemite.epa.gov/R10/EXTAFF.NSF/Reports/2007-2011+Region+10+Strategy> (last visited Feb. 12, 2010), and EPA's Region 10 Strategy for Enhancing Tribal Environments at <http://yosemite.epa.gov/r10/EXTAFF.NSF/Reports/07-11+Tribal> (last visited Feb 12, 2010).

⁴ *Id.* Pebble mine also raises issues that may require the assistance of EPA staff in other offices.

⁵ EPA's national priorities for enforcement and compliance for FY 2008 – 2010 and FY 2011 – 2013 (proposed) are at <http://www.epa.gov/oecaerth/data/planning/priorities/index.html#new>.

increased attention to Environmental Justice. Furthermore, EPA's on-going 404(c) process with respect to the Spruce No. 1 mine in West Virginia indicates that EPA prefers to be proactive, *i.e.*, "to address environmental concerns effectively *prior* to permit issuance."⁶

We make this request for the following reasons.

- 1. The cultural, ecological and economic importance of the Kvichak and Nushagak river drainages, and the magnitude of a potential Pebble mine, indicate that the scope of a 404(c) public process should be broad at the outset.**

Pursuant to 40 CFR 231.3(a), a Regional Administrator's *initial* decision of whether to commence a 404(c) process turns on whether there is "*reason to believe*" that "an 'unacceptable adverse effect' *could* result." (Italics added). This initial decision is based upon "evaluating the information available."⁷

The Kvichak River drainage historically produces more sockeye salmon than any other drainage in the world. Sockeye salmon drive the commercial salmon fisheries of Bristol Bay, which are the state's most valuable salmon fisheries. Within the Bristol Bay drainages, the Nushagak River drainage, also produces vast numbers of sockeye, and produces the largest runs of other species, including chinook, coho, chum and pink salmon. Both drainages are critical to the wild commercial salmon fisheries, subsistence fisheries, internationally famous sport fisheries, and abundant wildlife. The fish serve many onshore, near-shore and offshore uses and ecological functions, including in the North Pacific. The drainages provide water supplies to numerous villages and communities, many of which are substantially populated by Alaska Native people.⁸

The Pebble Limited Partnership (PLP), which seeks to develop the Pebble mining claims, divides them into "Pebble West" and "Pebble East." The former may be susceptible to an open pit mine. The latter (a more recent discovery) may be susceptible to an underground mine.⁹ In

⁶ See EPA, Spruce No. 1 Mine 404(c) Questions & Answers for Web Posting, Oct. 16, 2009 (italics added), http://www.epa.gov/owow/wetlands/pdf/spruce_1_Oct_16_2009_q_and_a.pdf (visited Jan. 26, 2010). EPA took this position when it invoked the 404(c) public process after years of working with the applicant and other agencies. Spruce No. 1 is the largest proposed mountaintop removal operation in Appalachia, would clear 2200 acres, and fill seven miles of streams. By contrast, just the open pit portion of a Pebble mine (per applications filed in 2006 and subsequently suspended) would be about two square miles (over 46,000 acres).

⁷ Because EPA staff has access to EPA's materials, our counsel have prepared an Appendix which lists other potentially relevant documents, from other agencies, the mining claimants, academic or professional publications, professional papers, and presidential documents applicable to environmental issues, tribal relations, and environmental justice. We assume that none would be overlooked and simply call these documents to your attention.

⁸ Nondalton is closer to a potential Pebble mine than any other community. Dillingham's Curyung Tribal Council represents the largest tribe in the Bristol Bay drainages of about 2400 members. Koliganek, New Stuyahok, Ekwok and Levelock are downstream of Pebble.

⁹ EPA routinely recognizes that mine voids, from open pit and underground mines, are sources of acid mine drainage. We call to your attention P. Younger, "*Don't forget the voids: aquatic*

2006, Northern Dynasty Mines, Inc. (NDM)¹⁰ filed, and then supplemented, nine applications with the Alaska Department of Natural Resources (ADNR), and then requested ADNR to suspend them. ADNR did so. Four applications sought to appropriate water. Five sought to construct tailings impoundment dams.¹¹ These nine applications were based *solely* on Pebble West. The surface area of the water of just two tailings impoundments, as then proposed, would have covered over ten square miles (6400 acres). "Beaches" of waste would have surrounded the impoundments created by five dams or embankments up to 740 feet high and several miles long.

The 2006 applications for Pebble West showed that NDM had considered about a dozen potential waste disposal sites. All or many appeared to involve vast wetlands under EPA's jurisdiction. The proposed open pit would have involved about 16.5 miles of 54-inch diameter pipelines to manage discharge tailings, and over two hundred miles of 15-inch diameter pipelines to transport a slurry concentrate for dewatering and ocean shipment from Cook Inlet, and to return used slurry water to the mine facilities. After suspending the applications, PLP has concentrated on exploring Pebble East. It has resulted in more than doubling the amount of potential mine waste, to about ten billion tons of waste. Hence, the questions of where, how and whether the vast volume of waste can be safely and permanently handled are major unresolved issues that involve a vast amount of discharge under Section 404 into a vast amount of wetlands.

Because a Pebble mine, associated facilities, and similar metallic sulfide mines could also have various direct, cumulative, secondary adverse effects in combination with other impacts over a vast area, our tribes recommend that EPA consider a wide geographic area of the Kvichak and Nushagak drainages for purposes of § 404(c), at least initially for a public process. Our reasons include: (1) the importance of the Kvichak and Nushagak drainages for fish, wildlife, and commercial, subsistence and recreational use of fish and wildlife; and the abundance of waters and wetlands that support fish, wildlife and public uses; (2) the location of the Pebble deposit at a divide between Upper Talarik Creek, which flows directly to Iliamna Lake (a significant rearing lake for sockeye salmon) in the Kvichak drainage, and the North and South Forks of the Kaktuli River in the Nushagak drainage; (3) the large scale of the deposit and a Pebble mine;¹² (4) the acid generating potential of the host rock, voids, wastes, and dust; (5) the necessity of dewatering a vast area, likely to great depths; (6) the fact that no comparable mine apparently exists in terms of risk to commercial salmon fisheries, subsistence, recreation, and

pollution from abandoned mines in Europe," submitted at the Workshop on Mine and Quarry Waste – the Burden from the Past, held by the Dir. Gen. for the Envir. and Jt. Research Cen. for EU and EC nations, at Orta, Italy, 2002. The paper indicates that voids can vastly exceed waste depositories as sources of water pollution (*see* Table 1 therein, and discussion); *see* http://viso.jrc.ec.europa.eu/pecomines_ext/events/workshop/ProceedingsOrtaWorkshop.pdf.

¹⁰ We understand that NDM is the American subsidiary of Northern Dynasty Minerals Ltd., of which an affiliate is apparently a partner in PLP. *See* announcement of PLP partnership at http://www.northerndynastyminerals.com/ndm/NewsReleases.asp?ReportID=336841&_Type=News-Releases&_Title=Northern-Dynasty-Anglo-American-Establish-5050-Partnership-To-Advance-Pebbl...

¹¹ The applications comprise over 2000 pages. The attached appendix lists the website posting them. A law journal article (listed in the appendix) summarizes these applications.

¹² The financial commitment necessary to develop Pebble mine is huge, for various reasons such as the cost of power, and is inconceivable as a small mine.

abundance of wetlands and water proximate to ground level; (7) the apparent existence of other metallic sulfide deposits in the Pebble area and perhaps at Kemuk Mountain; (8) the likelihood that discharge of dredge and fill material, including mine wastes from a Pebble mine or similar mines, and dewatering, will adversely affect vast amounts of wetlands and waters; (9) the facts that the behavior of metallic sulfide mines is difficult to predict; that the record of preventing water pollution from them is not good; that acid mine drainage is a major risk; and that this risk is perhaps increased by abundance of surface and groundwater;¹³ (10) the facts that Pebble implies a huge quantity of potential mine waste (perhaps ten billion tons), uncertainty over how wastes might be handled, and that pipelines could move wastes to various discharge sites; (11) the immensity of the task of containing contaminants forever, including acid drainage; (12) the magnitude of potential direct, cumulative, and secondary effects on commercial fishing,¹⁴ subsistence and recreation, including in combination with increased population, access and competition for fish and game;¹⁵ (13) the ecological functions that salmon perform throughout their life cycle in marine and fresh waters; (14) the fact that juvenile salmon have been shown to be present in many waters within the Pebble claims where salmon had been undocumented previously for purposes of the state's Anadromous Fish Act; (15) the likelihood that a transportation route to Cook Inlet could implicate significant beach spawning of sockeye salmon in the north-eastern portion of Iliamna Lake; (16) the likelihood that a Pebble mine, its transportation corridor, and nearby settlement areas could adversely affect areas previously identified as by the State as (a) "essential" moose wintering areas, or "important" spring-, summer- and fall moose habitats, (b) "essential" caribou calving grounds, and (c) "essential" brown bear concentration streams; and (17) the vast amount of compensatory mitigation likely to be required and its questionable sufficiency.¹⁶ All these reasons justify a broad initial scope for a 404(c) process.

2. The magnitude of the issues and PLP's recent decision to terminate its Technical Working Groups justify an EPA decision to commence a 404(c) process at this time.

Moreover, the process should be commenced at this time. PLP recently terminated its Technical Working Groups (TWGs), approximately ten in number. They were composed of federal and state officials who, in an advisory capacity, had sought for several years to review and comment upon PLP's baseline study plans before PLP implemented them, and to review results, in order to advise PLP as it progressed toward an environmental impact statement (EIS) under the National Environmental Policy Act (NEPA). During the life of these working groups, information suggests that PLP was not as forthcoming as agency officials had hoped.

¹³ The State of Wisconsin has imposed a moratorium on permits for metallic sulfide mining, by requiring that before permits may issue, a proponent demonstrate one such mine in North America that has operated for ten years without polluting water, and one that has closed for ten years without polluting water. Thus, water pollution at Pebble appears likely.

¹⁴ A listing under the Endangered Species Act of a stock of salmon bound for the Kvichak or Nushagak drainages could affect the commercial fisheries in Bristol Bay.

¹⁵ See accompanying letter from counsel addressing likely effects on subsistence and recreational use from a potential Pebble mine.

¹⁶ For such reasons, much of this issue is characterized as short-term private interests in mining a nonrenewable resource versus long-term public/quasi-public interests in commercial, subsistence and recreational uses of fish, wildlife, waters and other renewable resources on public lands.

PLP's decision to end the TWGs strongly suggests that federal, state and tribal entities may be more likely to face greater informational deficits as they head into an EIS process, than might have been otherwise. Commencing a 404(c) process may help to remedy some of these information deficits before PLP finalizes its design, submits applications, and triggers an EIS.

Because of the magnitude of the issues, all parties (e.g., PLP, federal, state, local and tribal entities, and the public) will benefit from EPA initiating a 404(c) process *before*, and not *after*, PLP submits its anticipated permit applications for a proposed Pebble mine, and *before* an EIS process commences.¹⁷ Moreover, because the potential to invoke a 404(c) process exists, postponing an initial decision to do so until applications are filed serves no affected party.¹⁸

3. EPA should commence a 404(c) public process in part because infirmities in the State's 2005 Bristol Bay Area Plan render waiting for the EIS process impractical.

Our request asks EPA to commence a 404(c) process before an EIS process has begun or run its course. Ordinarily, the analysis of alternatives required by NEPA should provide the information for the evaluation of alternatives under the 404(b)(1) Guidelines. 40 CFR 230.10(a)(4). However, in this instance, infirmities in the State's 2005 Bristol Bay Area Plan (2005 BBAP) render waiting for the NEPA/EIS process impractical.

We are enclosing copies of two other letters, which address the methods that ADNR employed in preparing its 2005 BBAP.¹⁹ It classifies state land, including at Pebble, its access corridor, and nearby settlement lands, into land classification categories and establishes guidelines and statements of intent. The methods used by the 2005 BBAP to do so include:

1. using primarily *marine* criteria, such as whether land is a walrus haulout, to determine whether *inland uplands*, such as those at Pebble, qualify for classification as fish and wildlife habitat (see 2005 BBAP, p. 2-9; a link to the 2005 BBAP is in the Appendix);
2. *omission of salmon in non-navigable waters* from the process of designating and classifying land as habitat (see 2005 BBAP, pp. 3-323 – 3-330);
3. *omission of moose and caribou* from that process (see 2005 BBAP, p. 2-9);
4. lack of a *land use classification category for subsistence hunting and fishing*, while ADNR has a public recreation land category that includes *sport hunting and fishing* (see ADNR's land planning regulations at 11 AAC 55.050 – .230 and 2005 BBAP); and then

¹⁷ PLP recently postponed its applications from 2010 until 2011, and may delay further.

¹⁸ Furthermore, a 404(c) process appears to be less costly than an EIS. Facing issues proactively could reduce all costs of agencies, PLP and the public prior to and during an EIS.

¹⁹ One letter, from our counsel to Col. Koenig, of the U. S. Army Corps of Engineers, Alaska District, and Mr. John Pavitt of EPA's Alaska Operations Office, seeks discussions of whether the tribes may be cooperating agencies on any EIS prepared for a proposed Pebble mine. The other, from our six tribes and the Alaska Independent Fishermen's Marketing Association (AIFMA), urges State Rep. Edgmon, while the Alaska legislature is out of session, to facilitate public discussions in the region of whether the legislature should consider legislation to establish a state fish and game refuge or critical habitat area that would include most state land in the Kvichak and Nushagak drainages, including land at the Pebble site.

5. defining recreation as *excluding* sport hunting and fishing for purposes of preparing the 2005 BBAP (see 2005 BBAP, p. A-11).²⁰

Based on these and other methods, the 2005 BBAP reclassifies land at Pebble as solely as mineral land, extinguishes habitat classifications of the prior 1984 BBAP on nearly all wetlands, including those that are hydrologically important to fish habitat (a concern in the 1984 BBAP), and almost totally omits references to wetlands in planning units for state land in the Nushagak and Kvichak drainages. As explained in the letter to the Corps of Engineers, Alaska District, and the EPA Alaska Operations Office, as long as the 2005 BBAP is in effect, every alternative in an EIS that would permit a Pebble mine will rest upon such mineral classifications and the methods ADNR used in adopting land use classifications, guidelines and statements of intent.

NEPA regulations provide that an EIS must analyze and address any applicable state land use plan.²¹ This requirement, in effect, is likely to put federal agencies in a difficult position of explaining, in public and on the record, why they would evaluate federal permit applications to develop state land, including wetlands, where the State's land classifications, guidelines and statements of intent rest upon (1) using primarily marine criteria to determine whether Pebble is habitat, (2) excluding salmon in non-navigable waters such as Upper Talarik Creek, (3) excluding moose and caribou, (4) having no land use classification category for subsistence hunting and fishing where there is one for sport hunting and fishing, and (5) then defining recreation as excluding sport hunting and fishing. Regardless of whether such methods are lawful or not (and we believe the present ones are *not*), to ignore them would be facially contrary to 40 CFR § 1506.2(d), and would beg the question of what the classifications, guidelines and statements of intent should be applicable, in the absence of the 2005 BBAP and its methods. No one can answer that question.

Because no one can do so, we doubt that federal agencies can engage in legally required, *reasoned* decision-making necessary to approve federal permits so long as the 2005 BBAP is in place.²² This leaves little room for any decision other than to commence a 404(c) *before*, and not *after*, PLP submits its permit applications, and *before* an EIS process commences. To do otherwise will compel EPA, the Corps and other agencies, in the context of NEPA and an EIS

²⁰ In *Nondalton Tribal Council, et al., v. ADNR.*, 3AN-09-46 CI (3rd Jud. Dist., Ak.), these six tribes, AIFMA and Trout Unlimited, Inc. allege that ADNR's 2005 BBAP uses many unlawful methods to classify state land, and establish guidelines and management intent, including where Pebble and its facilities might be located. The litigation is undecided. See also, enclosed letter to Rep. Edgmon, and briefing paper (Pt. I) regarding 2005 BBAP. With respect to ADNR's lack of a subsistence category, ADNR claims that its habitat classifications accommodate subsistence, even though the 2005 BBAP reduces the upland acreage classified or co-classified as habitat by 90 percent, from 12 million acres to 768,000 acres, when compared to the former 1984 BBAP.

²¹ 40 CFR § 1506.2(d) provides that to integrate an EIS into state planning processes, an EIS shall discuss any inconsistency of a proposed action with any approved state land use plan; and where inconsistency exists, the EIS should describe the extent to which the federal agency would reconcile its proposed action with the plan. In other words, an EIS on any potential Pebble mine will have to consider and analyze the applicable state land use plan.

²² The 2005 BBAP appears fatal, from a legal standpoint, as a basis for an EIS that would support issuing permits for Pebble. See Briefing Paper, Pt. II, attached to letter to Rep. Edgmon.

process, either to defend the State's methods used in the 2005 BBAP (which would be untenable), or to ignore them, which would be contrary to 40 CFR § 1506.2(d).

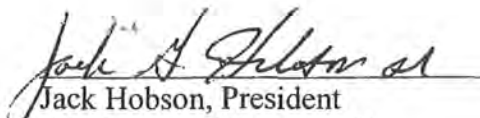
CONCLUSION

For three reasons, this situation seems straightforward. First, the importance of the Kvichak and Nushagak river drainages and the magnitude of the issues raised by a potential Pebble mine warrant an EPA decision now, to commence a 404(c) public process. Second, all of the concerns raised to date, coupled with the recent decision of the Pebble Limited Partnership to terminate its Technical Working Groups, justify commencing a 404(c) process at this time. Third, the infirmities of ADNR's 2005 Bristol Bay Area Plan provide additional reason to commence a 404(c) process at this time. These infirmities leave little room for any decision other than to do so *before*, and not *after*, PLP submits its permit applications, and *before* an EIS process commences, because during an EIS process no governmental agency could lawfully defend or ignore the 2005 Bristol Bay Area Plan.

Thank you for your attention to this matter. We look forward to hearing from you. We hope to work in a public process under Section 404(c) of the Clean Water Act with the U. S. Environmental Protection Agency.

Sincerely yours,

Date: 5/2/2010


Jack Hobson, President
Nondalton Tribal Council
P.O. Box 49
Nondalton, Alaska 99640

Enclosures (2)

process, either to defend the State's methods used in the 2005 BBAP (which would be untenable), or to ignore them, which would be contrary to 40 CFR § 1506.2(d).

CONCLUSION

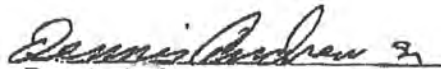
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Thank you for your attention to this matter. We look forward to hearing from you. We hope to work in a public process under Section 404(c) of the Clean Water Act with the U. S. Environmental Protection Agency.

Sincerely yours.

Date:

5/04/10


Dennis Andrew, President
New Stuyahok Traditional Council
P.O. Box 49
New Stuyahok, Alaska 99636

Enclosures (2)

process, either to defend the State's methods used in the 2005 BBAP (which would be untenable), or to ignore them, which would be contrary to 40 CFR § 1506.2(d).

CONCLUSION

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Thank you for your attention to this matter. We look forward to hearing from you. We hope to work in a public process under Section 404(c) of the Clean Water Act with the U. S. Environmental Protection Agency.

Sincerely yours,

Date: 5-10-10

for Angelia Chukwak

Sergie Chukwak, President
Levelock Village Council
P.O. Box 70
Levelock, Alaska 99625

Vice
President

Enclosures (2)

process, either to defend the State's methods used in the 2005 BBAP (which would be untenable), or to ignore them, which would be contrary to 40 CFR § 1506.2(d).


CONCLUSION

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Thank you for your attention to this matter. We look forward to hearing from you. We hope to work in a public process under Section 404(c) of the Clean Water Act with the U. S. Environmental Protection Agency.

Sincerely yours,

Date: 5/11/10


Lydia Akelkok, President
Ekwook Village Council
P.O. Box 70
Ekwook, Alaska 99580

Enclosures (2)

process, either to defend the State's methods used in the 2005 BBAP (which would be untenable), or to ignore them, which would be contrary to 40 CFR § 1506.2(d).

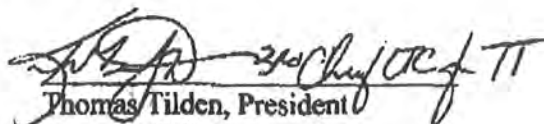
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Thank you for your attention to this matter. We look forward to hearing from you. We hope to work in a public process under Section 404(c) of the Clean Water Act with the U. S. Environmental Protection Agency.

Sincerely yours,

Date: 5/12/2010



Thomas Tilden, President

Curyung Tribal Council

P.O. Box 216

531 D Street

Dillingham, Alaska 99576

Enclosures (2)

process, either to defend the State's methods used in the 2005 BBAP (which would be untenable), or to ignore them, which would be contrary to 40 CFR § 1506.2(d).

CONCLUSION

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Thank you for your attention to this matter. We look forward to hearing from you. We hope to work in a public process under Section 404(c) of the Clean Water Act with the U. S. Environmental Protection Agency.

Sincerely yours,

Date: 5-13-2010

Herman F. Nelson, Sr.
Herman Nelson, Sr., President
Koliganek Village Council
P.O. Box 5057
Koliganek, Alaska 99576

Enclosures (2)

process, either to defend the State's methods used in the 2005 BBAP (which would be untenable), or to ignore them, which would be contrary to 40 CFR § 1506.2(d).

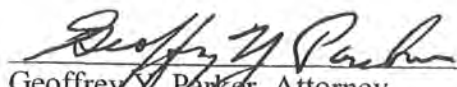
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Thank you for your attention to this matter. We look forward to hearing from you. We hope to work in a public process under Section 404(c) of the Clean Water Act with the U. S. Environmental Protection Agency.

Sincerely yours,

Dated: 5-20-10


Geoffrey V. Parker, Attorney
634 K Street
Anchorage, Alaska 99501
(907) 222-6859
gparker@alaska.net
Co-Counsel to Signatory Tribes


Thomas E. Meacham, Attorney
9500 Prospect Drive
Anchorage, Alaska 99507-5924
(907) 346-1077
tmeacham@gci.net
Co-Counsel to Signatory Tribes

Enclosures (2)

EKUK VILLAGE COUNCIL

PO Box 530 / 300 Main St.

Dillingham, AK 99576

Ph: (907) 842-3842 Fax: (907) 842-3843

In state 1-866-842-3842

ekuktrib@starband.net

December 17, 2010

Lisa P. Jackson, Administrator
U.S. Environmental Protection Agency, Ariel Rios Bldg.
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dennis J. McLerran, Regional Administrator
U.S. Environmental Protection Agency, Region 10
Regional Administrator's Office, RA-140
Seattle, WA 98101

Re: Clean Water Act 404(c) process to prohibit certain lands from use as a disposal site
For dredged or fill material

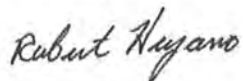
Dear Ms. Lisa Jackson and Mr. Dennis McLaren:

The Native Village of Ekuk, a federally recognized tribe, DBA Ekuk Village Council, implore the Environmental Protection Agencies' involvement in ensuring that the water of Bristol Bay that sustain our people and our villages' vitality, stay intact and productive.

The Village of Ekuk supports the request that has been made by six other federally recognized Bristol Bay tribes, to the EPA, to initiate a public process under Section 404(c) of the Clean Water Act. Ekuk Village Council joins in the request, asking the EPA to work with our communities to craft a 404 (c) determination that will protect the waters, wetland, fish, wildlife, fisheries, subsistence and public uses in the Nushagak and Kvichak drainages and Bristol Bay of Southwest Alaska from metallic sulfide mining, including the potential Pebble mine.

For those of us living directly downstream from a massive sulfide ore deposit, the need for protection of our existing resources, which are sustainable, irreplaceable, and essential for our lives, has never been more urgent.

Sincerely,



Robert Heyano
President

COPY

December 22, 2010

Administrator Lisa P. Jackson
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Jackson,

The Twin Hills Village Council respectfully requests that the Environmental Protection Agency (EPA) immediately initiate a section 404(c) process pursuant to 33 U.S.C. § 1344(c) to prohibit specification of those waters of the United States associated with the development of the Pebble Mine in Alaska's Bristol Bay as disposal sites for dredged or fill material.

We are a federally recognized tribe in Alaska with the best interest of the people at the heart of our organization. We write today to ask you to use all the tools at your disposal to protect a sport fishing and hunting destination that is unrivaled in America and perhaps the world, for this and future generations of sportsmen and women.

The vast Bristol Bay watershed in southwestern Alaska is one of the most wild and productive ecosystems in Alaska. It supports a robust tourism and recreation industry which is second only to commercial fishing in regional economic importance. Bristol Bay contains the world's greatest sockeye salmon fishery and the region's lakes and rivers support trophy-class rainbow trout and a vigorous sport fishing industry that attracts anglers from around the world. More than 70 sport fishing lodges and hundreds of sport fishing guides operate in Bristol Bay and the adjacent coast of Cook Inlet. Sport-fishing contributes \$166 million to the regional economy each year and as many as 1200 jobs. In addition, the Bristol Bay watershed's abundant caribou, moose, bear, and other wildlife support a multi-million dollar sport hunting and wildlife viewing industry. Despite the remote nature of the region and the costs associated with traveling to it, on a yearly basis up to 65,000 visitors come to Bristol Bay for recreational opportunities to fish, hunt, and view wildlife.

The proposed Pebble Mine in Bristol Bay, Alaska poses numerous significant and potentially long-lasting threats to the region. The Pebble deposit is a vast deposit of copper, gold and molybdenum located beneath the headwaters of the Kvichak and Nushagak Rivers in Bristol Bay, Alaska. If built, the Pebble mine would be one of the largest in the world and poses a risk of irreparable harm to the unique fish and wildlife populations that thrive in Bristol Bay. The

COPY

proposed mine developers, a consortium of British and Canadian companies called the Pebble Limited Partnership (PLP), have not released final mine plans, but based on descriptions submitted with their 2006 water rights application and current PLP mineral deposit estimates, the proposed Pebble mine complex would cover some 54.5 square miles. Pebble could produce as much as 10 billion tons of mine waste including sulfuric acid, heavy metals and possibly cyanide that will have to be treated in perpetuity. Up to 60 miles of fish bearing streams and rivers could be dewatered. Any release of this waste into surface or groundwater has the potential to damage Bristol Bay's salmon and rainbow trout populations as well as the people who depend on them.

The EPA has the authority and an unprecedented opportunity to protect the fish, wildlife and people of Bristol Bay from large scale industrial mining. By exercising its Clean Water Act Section 404(c) authority the EPA will safeguard this unique and valuable habitat and the health of local people. The Twin Hills Village Council joins the majority of region's residents opposing Pebble mine and strongly encourages the EPA to immediately initiate 404c.

Sincerely,

Name: John W. Briggs
Title: President

Twin Hills Village Council

PO Box TWA

Twin Hills, AK 99576-8996

Cc: Senator Mark Begich, United States Senate

Senator Lisa Murkowski, United States Senate

Dennis J. McLerran, US EPA Region 10, Regional Administrator

Enclosure: Loulare A. Moore's Statement



UNITED FISHERMEN OF ALASKA

211 Fourth Street, Suite 110
Juneau, Alaska 99801-1172
(907) 586-2820
(907) 463-2545 Fax
E-Mail: ufa@ufa-fish.org
www.ufa-fish.org

October 12, 2010

Lisa Jackson, Administrator
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Jackson,

United Fishermen of Alaska (UFA) is a trade association comprised of 38 Alaska commercial fishing organizations that collectively represent the interests of commercial fishermen throughout the state. UFA has a keen interest in maintaining environmental quality that allows for sustainable harvest of Alaska's fishery resources. While any planned development that potentially affects water quality and aquatic resources receives UFA's attention, the risks associated with large scale mining developments such as the Pebble Mine prospect in Alaska's Bristol Bay watershed are of particular concern.

Recognizing that the Bristol Bay region's salmon typically account for more than a quarter of the state's ex-vessel salmon value and provides an economic foundation for fishermen, tenders, processing, support businesses, and communities, it is critically important for the commercial fishing industry to be concerned about industrial development that may disrupt or degrade the area's fishing economy. While the operational plans for the Pebble Mine are not yet fully revealed the scope of likely future mining operations, construction and support activities are large and complex enough so that negative impacts to the Bristol Bay salmon fishery are unlikely to be avoided. Consequently, UFA opposes development of the Pebble Mine.

Since the Clean Water Act is our nation's primary law to prevent the pollution of waterways in the United States, UFA believes that it is appropriate for the EPA to utilize their authority under section 404c of the Clean Water Act to regulate the placement of dredge or fill materials that would affect water quality in the Bristol Bay Watershed, and to carefully tailor restrictions on the discharge of dredge or fill materials in U.S. waters within the Bristol Bay watershed. Thus, we urge the EPA to proactively initiate the 404c process on this issue.

Sincerely,

Mark Vinsel
Executive Director

Cc: Bob Abbey, Director Bureau of Land Management
John Jarvis, Director National Park Service

Bristol Bay

Regional Seafood Development Assoc.

1120 Huffman Road • Anchorage, AK • 99515

June 20, 2010

Lisa P. Jackson, Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, D.C. 20460

Dennis J. McLerran, Regional Administrator
U.S. Environmental Protection Agency, Region 10
Regional Administrator's Office, RA-140
1200 Sixth Avenue, Suite 900
Seattle, WA 98101

Re: Request that EPA initiate proceedings under 404(c) of the Clean Water Act as it pertains to discharges from proposed mining activities in the Bristol Bay area of Alaska.

The Bristol Bay Regional Seafood Development Association is a non-profit association comprised of all 1,865 Bristol Bay driftnet fishermen. These fishermen contribute 1% of their revenues to support the purposes of the Association as defined in Alaska state law. These purposes include adding to fishing infrastructure, improving quality, research and marketing. We currently spend over \$1 million annually on projects in each of these program areas.

The Bristol Bay salmon stocks are healthy. This is primarily due to a healthy environment and to management practices that assure ongoing abundance. Total wholesale value for salmon produced in 2008 (most recent data) was over \$300 million. On average, more than half of the world's sockeye spawn and are harvested in the waters of Bristol Bay. The commercial fishery of Bristol Bay is now in its 127th continuous year and is currently estimated to provide roughly 75% of the area's employment.

**Alaska Independent Fishermen's
Marketing Association**
P.O. Box 60131
Seattle, WA 98160
Phone/Fax (206) 542-3930



May 13, 2010

Lisa P. Jackson, Administrator
U.S. Environmental Protection Agency, Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dennis J. McLerran, Regional Administrator
U.S. Environmental Protection Agency, Region 10
Regional Administrator's Office, RA-140
1200 Sixth Avenue, Suite 900
Seattle, WA 98101

Re: Endorsement of Tribes' request that EPA initiate a public process under Section 404(c) of the Clean Water Act, regarding discharges related to potential metallic sulfide mining in the Kvichak and Nushagak drainages of Southwest Alaska.

Dear Ms. Jackson and Mr. McLerran:

AIFMA Cooperative (Alaska Independent Fishermen's Marketing Association) is a member-based cooperative of commercial fishers, organized under the laws of the State of Alaska. AIFMA's members fish for salmon in Bristol Bay in Southwest Alaska. AIFMA has long opposed development of a potential Pebble Mine. If developed, it would mine a large metallic sulfide deposit located at the divide between Upper Talarik Creek in the Kvichak River drainage and the North and South Forks of the Koktuli River drainage. The Kvichak River drainage historically produces more sockeye salmon than any other river in the world, and the Nushagak River drainage produces the most salmon of the other species caught in the commercial fisheries of Bristol Bay. A Pebble Mine threatens these commercial fisheries.

AIFMA is working with several federally-recognized tribes in the Kvichak and Nushagak drainages on matters related to a potential Pebble Mine. AIFMA's board of directors received and endorsed draft correspondence by the Tribes that requests EPA to initiate a public process under Section 404(c) of the Clean Water Act, to protect waters, wetlands, fish, wildlife, and subsistence and recreational uses in the Kvichak and Nushagak drainages and the commercial fisheries in Bristol Bay from direct, cumulative and secondary effects of discharges associated with metallic sulfide mining, including a potential Pebble Mine. We understand that the Tribes' letter has now been sent to EPA.

This letter confirms AIFMA's endorsement of the Tribes' letter and request for a 404(c) public process. AIFMA will do all it can to assist such a process. Thank you.

Sincerely yours,

David Harsila
President



2207 Spenard Road, Suite 201, Anchorage, Alaska 99503

December 9, 2010

The Honorable Lisa Jackson, Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Re: Clean Water Act Section 404(c) Determination in Bristol Bay

2-4

Dear Administrator Jackson:

The Alaska Wilderness Recreation & Tourism Association (AWRTA) respectfully requests that the Environmental Protection Agency (EPA) immediately initiate a section 404(c) process pursuant to 33 U.S.C. § 1344(c) to prohibit specification of those waters of the United States associated with the development of the Pebble Mine in Alaska's Bristol Bay as disposal sites for dredged or fill material.

AWRTA is a member-led trade association that represents tourism businesses, individuals, and organizations in Alaska. AWRTA advocates for the sustainability of Alaska's natural and cultural resources, responsible tourism, and tourism planning for communities. Member businesses and partners strive to work with communities to protect and enhance quality of life, provide good jobs and business opportunities, and create strong incentives for protecting Alaska's wildlife, wilderness, and special places. AWRTA has a keen interest in maintaining the environmental quality upon which its business members depend and is extremely concerned that the proposed Pebble Mine will harm Bristol Bay's exceptional recreational opportunities and the numerous small tourism companies that depend on the region's healthy lands, waters, and wildlife.

The vast Bristol Bay watershed in southwestern Alaska is one of the most pristine and scenic ecosystems in Alaska. It supports a robust tourism and recreation industry which is second only to commercial fishing in regional importance. Bristol Bay contains the world's greatest sockeye salmon fishery and the region's lakes and rivers support trophy-class rainbow trout and a vigorous sport fishing industry that attracts anglers from around the world. More than 70 sport fishing lodges and hundreds of sport fishing guides operate in Bristol Bay and the adjacent coast of Cook Inlet. Sport fishing contributes \$166 million to the regional economy each year. In addition, the Bristol Bay

February 24, 2011

Lisa Jackson, Administrator
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Cc: Ken Salazar, Secretary, Department of Interior
Gary Locke, Secretary, Department of Commerce
Nancy Sutley, Chair, Council on Environmental Quality
Dr. Jane Lubchenco, Administrator, National Oceanic and Atmospheric Administration
Bob Abbey, Director, Bureau of Land Management
John Jarvis, Director, National Park Service
Rowan Gould, Acting Director, U.S. Fish and Wildlife Service
Jo-Ellen Darcy, Assistant Secretary of the Army for Civil Works
Lisa Murkowski, U.S. Senator from Alaska
Mark Begich, U.S. Senator from Alaska

Dear Administrator Jackson,

We, the undersigned hunting and angling organizations and businesses representing millions of sportsmen, outdoor recreation groups and related businesses, thank you and the EPA for taking the first step in protecting Bristol Bay from the dangers of the proposed Pebble Mine, by starting a scientific assessment of the region's watershed. We look forward to working with the EPA and other decision makers during this public process to determine the fate of Bristol Bay, Alaska.

Our 363 sporting conservation groups, businesses and trade associations also thank you for visiting the Bristol Bay region last year. Your effort to meet with the region's local residents is greatly appreciated, as the world's greatest wild sockeye salmon fishery is facing unprecedented threats from proposed development of a massive mining district. We write today to ask you to use all the tools at your disposal to protect a sport fishing and hunting destination that is unrivaled in America and perhaps the world, for this and future generations of sportsmen and women.

The proposed Pebble Mine in Bristol Bay poses numerous significant and potentially long-lasting threats to one of the world's foremost sport fishing and hunting regions. Specifically, fish habitat (including spawning and breeding grounds), wildlife habitat and recreational areas are all threatened by several hard rock mining proposals - most notably, the Pebble Mine. The potential impact from this type of activity could be severe. It is estimated that the Pebble Mine would produce between 2.5 and 10 billion tons of waste containing elements, such as copper and other heavy metals, that would threaten several fishery areas including spawning and breeding grounds for world-renowned populations of salmon.

If this project moves forward, these toxins would have to be contained and potentially treated in perpetuity - in an area of high seismic activity, which increases the risks tremendously. Because the Pebble property straddles the Kvichak and Nushagak river drainages - two of the most productive salmon systems on the planet - any release of this waste into the surface or groundwater has the

potential to severely harm Bristol Bay's salmon and the livelihoods of the sport fishing and hunting business owners, all of whom depend on them for their economic support.

Sport fishing in Bristol Bay generates \$60 million annually; anglers looking for "once in a lifetime" experiences on rivers such as the Nushagak, Mulchatna, Koktuli and Kvichak support more than 800 full- and part-time jobs. Mining activity and increased development associated with mining will detrimentally impact these areas by direct impacts to fish and habitat. Development will also negatively impact opportunities for sport fishing and hunting operations in the area by diminishing the quality of the experience. Despite the remote nature of the region and the costs associated with traveling to it, on a yearly basis up to 65,000 visitors come to Bristol Bay for recreational opportunities to fish, hunt, and view wildlife.

Secretary Salazar and the Obama administration recognized that oil and gas development in this area is simply not worth the risk, the same is true for mining operations in the headwaters of Bristol Bay. The fish and wildlife values in the region, its size and setting, and the national significance of its resources are, in the words of Secretary Salazar and President Obama, "a national treasure that we must protect." The risk to this national treasure is too great and the resource too unique and irreplaceable to allow the Pebble Project to continue forward.

While we thank you for planning an assessment of the Bristol Bay watershed to better understand how future large-scale development projects may affect Bristol Bay, it's not enough. The EPA has the authority under the Clean Water Act to invoke Section 404(c), which would give Bristol Bay the protection it needs from mining and other large-scale developments.

The undersigned organizations and businesses urge EPA to proactively fulfill its mission to protect the environment and human health in Bristol Bay, AK by using its authority under Clean Water Act Section 404(c) to withdraw waters and wetlands in the headwaters of the Bristol Bay watershed from future specification as disposal sites for dredge and fill activity associated with mining operations. The EPA has an opportunity now to guarantee a future for Bristol Bay that will generate economic opportunities while also conserving sporting traditions for generations to come.

We look forward to working with the EPA and all federal agencies with an interest and role in the future of Bristol Bay's tremendously productive lands and waters.

Sincerely,

National Organizations (15)

American Fly Fishing Trade Association
Randi Swisher
President
Westminster, CO

American Sportfishing Association
Gordon Robertson
Vice President
Alexandria, VA

Backcountry Hunters and Anglers
Jim Akenson
Executive Director
Joseph, OR

Bull Moose Sportsmen's Alliance
Tim Mauck
Co-Director
Denver, CO

Campfire Club of America
Leonard J. Vallender
Conservation Chair
Chappaqua, NY

Dallas Safari Club
Ben Carter
Executive Director
Dallas, TX

Delta Waterfowl Foundation
John L. Devney
Senior Vice President
Bismarck, ND

Federation of Fly Fishers
Philip Greenlee
President / Chairman of the Board
Livingston, MT

Izaak Walton League of America
Roger Sears
Executive Board Chair
Poolesville, MD

National Wildlife Federation
Jim Adams
Regional Executive Director – Pacific Region
Anchorage, AK

North American Fishing Club
Steve Pennaz
Executive Director
Minnetonka, MN

North American Hunting Club
Bill Miller
Executive Director
Minnetonka, MN

Theodore Roosevelt Conservation Partnership
Tom Franklin
Director of Policy and Government Relations
Washington, DC

Trout Unlimited
Chris Wood
President / Chief Executive Officer
Arlington, VA

Wildlife Forever
Douglas Grann
President / Chief Executive Officer
Minneapolis, MN

Alaska (75)

3 Rivers Fly & Tackle
Steve Runyan
Manager
Wasilla, AK

Alagnak Lodge
Michael Santelli
Guide
King Salmon, AK

Alaska Alpine Adventures
Dan Oberlatz
Owner/Operator
Anchorage, AK

Alaska Backcountry Hunters & Anglers
Mark Richards
Co-Chair
Eastern Interior (Bush), AK

Alaska Bear Guides
Scott Newman
President
Petersburg, AK

Alaska Fly Anglers, Inc.
John Hohl
Owner
Soldotna, AK

Alaska Fly Fish
Jason Williams
Owner
Anchorage, AK

Alaska Fly Fishing Goods
Brad Elfers
Owner
Juneau, AK
Alaska Glacier Guides, Inc,
Alisha Rosenbruch-Decker
President
Gustavus, AK

Alaska King Salmon Adventures
Scott Weedman
Owner
Dillingham, AK

Alaska Rainbow Adventures
Paul Hansen
Owner
Wasilla, AK

Alaska Rainbow Lodge
Ron and Sharon Hayes
Owners/Operators
King Salmon, AK

Alaska Salmon Camp, Inc.
Kent Anderson
President
Dillingham, AK

Alaska Sportsman's Bear Trail Lodge
Nanci Morris-Lyon
Managing Partner
King Salmon, AK

Alaska Trophy Fishing Safaris
John & Melissa Carlin
Owners / Operators
Homer, AK

Alaska West
Andrew Bennett
President
Quinhagak, AK

Alaska Wilderness Trips, Inc.
Clark Whitney, Sr.
Owner
Soldotna, AK

Alaska's Boardwalk Lodge
Brad Steuart
Owner
Thorne Bay, AK

Alaska's Wild River Lodge
Seth Kroenke
Owner / Operator
Port Alsworth, AK

Alaskan Leader Tours
Kimberly Riedel
President
Kodiak, AK

Alaskan Wilderness Outfitting Company
Tom & Katie Prijatel
Owners
Cordova, AK

Arctic Wild, LLC
Bill Mohrwinkel
Owner
Fairbanks, AK

Baranof Wilderness Lodge
Mike Trotter
Owner / Operator
Sitka, AK

Beyond Boundaries Expeditions
Mike Trotter
Owner / Operator
Sitka, AK

Blue Fly Bed & Breakfast and Guide Service
Patricia Edel
Owner/Operator
King Salmon, AK

Blue Mountain Lodge
Tracy & Linda Vrem
Owners/Operators
Becharof Lake, AK

Blueberry Island Lodge
George Riddle
Owner / Operator
Igiugig, AK

Branch River Air Service, Inc.
George V. Hartley
President
King Salmon, AK

Brightwater Alaska, Inc.
Chuck Ash
President
Anchorage, AK

Bristol Bay Adventures
Michael Addiego
Owner
Dillingham, AK

Bristol Bay Lodge
Steve Laurent
General Manager
Dillingham, AK

Cape Ommaney Lodge
James Boyce
Owner / Master Guide
Port Alexander, AK

Chinook Tours
Felix Schneider
Owner
Anchorage, AK

Classic Casting Adventures
Tad Kisaka
Owner / Guide
Sitka, AK

Copper River Lodge
Pat Vermillion
Owner
Iliamna, AK

Crystal Creek Lodge
Dan Michels
Owner
King Salmon, AK

Denali Fly Fishing Guides, LLC
Rick McMahan
Owner
Cantwell, AK

Dierick's Tsiu River Lodge
Greg Dierick
Owner
Yakutat, AK

EPIC Angling & Adventure, LLC
Rus Schwausch
Owner
King Salmon, AK

Fishing Bear Lodge
Justin Johns
Owner
Dillingham, AK

Glacier Guides, Inc.
Jimmie C. Rosenbruch
Owner / Master Guide
Gustavus, AK

Great Alaska Adventure Vacations
Kent John
President
Sterling, AK

Hitaluga Guide Service, LLC
Cynthia Oliver
Co-Owner
Anchorage, AK

Icy Bay Lodge
Nick Coe
Vice President/Manager
Yakutat, AK

Igiugig Lodge, LLC
Brad Waitman
Owner / Operator
Igiugig, AK

Jake's Nushagak Salmon Camp
Eli Huffman
Owner / Manager
Dillingham, AK

Katmai Air, LLC
Raymond F. & Mariann Peterson
Owners
Kulik Lodge/Katmai Park, AK

Katmai Guide Service
Joe Klutsch
Owner / Master Guide
King Salmon, AK

Katmailand, Inc.
Raymond F. Peterson
President
Kulik Lodge/Katmai Park, AK

Kenai Area Fisherman's Coalition
Dwight Kramer
Chairman
Kenai, AK

Kodiak Sportsman's Lodge
Gary Sampson
Owner
Old Harbor, AK

Kvichak Anglers
Jared Paul Nelson
Owner
Igiugig, AK

Mission Creek Lodge, LLC
Dale DePriest
Owner
Aleknagik, AK

Mountain View Sports Center
John Staser
President
Anchorage, AK

Muskeg Excursions
Johnnie Laird
Owner/Guide
Ketchikan, AK

No See Um Lodge, Inc.
John Holman
President
King Salmon, AK

Ocean Point Alaska Adventures
Keegan McCarthy
Owner/Operator
Douglas, AK

Ouzel Expeditions, Inc.
Sharon Allred
Co-Owner
Girdwood, AK

Painter Creek Lodge
Jon Kent
President
Anchorage, AK

Quartz Creek Lodge
Dave & Pam Pingree
Owners/Operators
Kodiak, AK

Rapids Camp Lodge
Amy Herrig
Owner / Operator
King Salmon, AK

Rainbow Bend Lodges
Tom & Tammy Baumgartner
Owners
King Salmon, AK

Rainbow River Lodge
Chad Hewitt
Managing Partner
Iliamna, AK

Reel Wilderness Adventures, Inc.
David Taylor
President
Dillingham, AK

River King Outfitters
Jon Boyd
Owner
Nushagak River, AK

River Wrangellers
Jennifer & Michael Harpe
Owners
Copper Center, AK

Royal Coachman Lodge
Pat Vermillion
President
Dillingham, AK

Royal Wolf Lodge
Chris & Linda Branham
Owners / Operators
Anchorage, AK

Saltery Lodge
Joe Paul
Manager/Captain
Naha Bay, AK

Sea Hawk Air
Rolan Ruoss
Owner
Kodiak, AK

Talaheim Lodge
Mark Miller
Owner
Anchorage, AK

The Alaska Sportsman's Lodge
Todd Calitri
General Manager
Igiugig, AK

Togiak River Outfitters, LLC
Larry Lund
Owner
Togiak, AK

Westwind Guide Service/AK Big Game Hunting
Anthony B. Lee
Owner
Wasilla, AK

Women's Fly Fishing
Cecelia "Pudge" Kleinkauf
Owner
Anchorage, AK

Arizona (5)

Arizona Flycasters Club
Gary Stinson
Conservation Chair
Phoenix, AZ

Arizona Sportsmen for Wildlife
Brian Pinney
AZSFW - WCC Foundation Chair
Phoenix, AZ

Arizona Wildlife Federation
Tom Mackin
President
Flagstaff, AZ

Eastern Rocky Mtn Council (Fed. of Fly Fishers)
Richard J. Brown
Vice President – Conservation
Flagstaff

White Mountain Lakes Foundation
John Rohmer
President
Phoenix, AZ

Arkansas (3)

Southern Council (Federation of Fly Fishers)
Paul Goodwin
Vice President – Conservation
Mountain Home, AR

White River Chapter (Trout Unlimited)
Mark Romero
Conservation Committee
Lakeview, AR

Women's Fly Fishing of Japan
Misako Ishimura
Conservation Committee
Lakeview, AR

California (30)

Abel Automatics, Inc.
Jeff Patterson
Director of Sales
Camarillo, CA

Bob Marriott's Flyfishing Store
Stacia Siroonian
Vice President
Fullerton, CA

California Division (Izaak Walton League of America)
Peter Hillebrecht
President
Orange, CA

California School of Flyfishing
Ralph & Lisa Cutter
Owners
Nevada City, CA

Central Coast Fly Fishing
Geoff Malloway
Owner
Carmel, CA

Don Coffey Company
Mike Perusse
Sales
San Clemente, CA

Fly Fishers of Davis
Lowell Ashbaugh
Conservation Chair
Davis, CA

Flycasters of San Jose, Inc.
Chuck Hammerstad
Conservation Co-Chair
San Jose, CA

Galvan Fly Reels, Inc.
Bonifacio Galvan
President
Sonora, CA

Golden West Women Flyfishers
Cindy Charles
Conservation Chair
San Francisco, CA

Hatch Outdoors, Inc.
John Torok
President / CEO
Vista, CA

Hobie Cat Company
Jim Czarnowski
Director of Engineering
Oceanside, CA

Jeff Bright Steelhead Flyfishing Expeditions
Jeff Bright
Owner
San Francisco, CA

Marmot Mountain, LLC
Mark Martin
President
Santa Rosa, CA

Mount Tamalpais Fly Fishers
Kim Colby
Vice President
Marin County, CA

Nevada City Anglers
Tony Dumont
Owner
Nevada City, CA

Northern California Council (Fed. of Fly Fishers)
Anne-Marie Bakker
President
Sonoma, CA

Okuma Fishing Tackle
Douglas Lasko
President
Ontario, CA

Outdoor Pro Shop, Inc.
Ken Elie
President
Cotati, CA

Patagonia, Inc.
Casey Sheahan
President / CEO
Ventura, CA

Peninsula Fly Fishers
Mike Pineli
Bulletin Editor
Pacifica, CA

Pit River Company
Brian McDonald & Joseph Nowak
Managing Members
Petaluma, CA

Sac-Sierra Chapter (Trout Unlimited)
Kevin Mather
President
Sacramento, CA

Santa Barbara Flyfishers
Lew Riffle
President
Santa Barbara, CA

Santa Cruz Fly Fishermen
Sam Bishop
President
Santa Cruz, CA

Santa Lucia Fly Fishers
Mike Kohle
Conservation Chair
San Luis Obispo, CA

The Fly Shop, Inc.
Pat Pendergast
Director of International Travel
Redding, CA

The Trout Spot
Richard Desrosiers
Owner
Santa Clara, CA

The Trout Underground
Tom Chandler
Publisher
Mount Shasta, CA

Wilderness Fly Fishers
Clay Dodder
Conservation Committee
Santa Monica, CA

Colorado (10)

Angling Trade Magazine
Kirk Deeter
Editor-In-Chief
Pine, CO

CJR Flyfishing
Clint J. Rossell
Owner / Operator
Idaho Springs, CO

Collegiate Peaks Anglers
Steve Craig
President
Salida, CO

Colorado Backcountry Hunters & Anglers
John Gale
Co-Chair
Boulder, CO

Fishpond, Inc.
John Land le Coq
Co-Founder
Dillon, CO

Fly Fishing Outfitters
John Packer
Owner
Avon, CO

Grand Valley Anglers Chapter (Trout Unlimited)
David Trimm
President
Grand Junction, CO

Scott Fly Rod Company
Jim Bartschi
President
Montrose, CO

The Angling Book Store
Ben Furimski
Owner
Crested Butte, CO

EPA Letter from Sport Fishing and Hunting Interests on Bristol Bay Alaska (Nov. 2010)

Umpqua Feather Merchants
Brent Bauer
Operations Manager
Louisville, CO

Connecticut (4)

Compleat Angler
Scott Bennett
Owner
Darien, CT

North Cove Outfitters, Inc.
Brian Owens
Manager
Old Saybrook, CT

Nutmeg Guide Service
Jeff Church
Owner
Southbury, CT

Sturm, Ruger & Company, Inc.
Mike Fifer
President / CEO
Southport, CT

Delaware (2)

A Marblehead Flyfisher
Terry Peach
Owner
Wilmington, DE

White Clay Outfitters
Kenneth Prager
Vice President
Newark, DE

District of Columbia (1)

National Capital Chapter (Trout Unlimited)
Andrew J. Spence
President
Washington, DC

Florida (8)

AVID Tackle
Tim Johnson
Partner / Co-Founder
Palm Beach Gardens, FL

Florida Wildlife Federation
Preston Robertson
Vice President
Tallahassee, FL

Mangrove Coast Fly Fishers
Evan Jones
President
Sarasota, FL

Norm Zeigler's Fly Shop
Norm Zeigler
Owner
Sanibel Island, FL

Sanibel Island Fly Fishers
Norm Zeigler
Board of Directors
Sanibel Island, FL

Suncoast Fly Fishers
Tom Gadacz
President
Saint Petersburg, FL

Tarpon Coast Fly Fishers (Fed. of Fly Fishers)
Roger Maler
President
Hernando Beach, FL

Tibor Reel Corporation
Marianne Papa
Vice President
Delray Beach, FL

Georgia (1)

Gray's Sporting Journal
Mike Floyd
Director of Sales
Augusta, GA

Idaho (13)

Ballistic Spey Lines
Lee Davison
President
Idaho Falls, ID

Carriboo Conservancy, Inc.
Bud Smalley
President
Pocatello, ID

Down River Design Company
David Page
President
Irwin, ID

Fluid Peak Films
Lauren Schall & David Page
Owners
Swan Valley, ID

Jimmy's All Seasons Angler
Jimmy Gabettas
Owner
Idaho Falls, ID

Kast Gear
Colby Hackbarth
Chief Executive Officer
Idaho Falls, ID

Morning Star Lanyards
Lynda MacButch
Owner
Pocatello, ID

RIO Products International
Simon Gawesworth
Marketing Manager
Idaho Falls, ID

Sandpoint Outfitters
Calvin Fuller
Owner
Sandpoint, ID

Smith Optics
Ned Post
President
Ketchum, ID

Snake River Outfitters
Lee Davison
President
Idaho Falls, ID

SunCloud
Peter Crow
General Manager
Ketchum, ID

The Waterworks-Lamson
Ryan Harrison
President
Ketchum, ID

Illinois (2)

Chicago Fly Fishing Outfitters
Andy Kurkulis
Owner
Chicago, IL

Elliott Donnelley Chapter (Trout Unlimited)
Grant Brown
President
Chicago, IL

Indiana (1)

FlyMasters of Indianapolis
Jon Widboom
Owner
Indianapolis, IN

Iowa (1)

Iowa Wildlife Federation
Joe Wilkinson
President
Solon, IA

Kansas (2)

Heart of America Flyfishers (Fed. of Fly Fishers)
Kevin Carril
Conservation Chair
Overland Park, KS

Kansas Wildlife Federation
Steven Sorensen
Vice President – Conservation
Wichita, KS

Kentucky (1)

Bluegrass Chapter (Trout Unlimited)
Gary S. Rose
President
Lexington, KY

Louisiana (2)

Coldwater Committee (Fed. of Fly Fishers)
Robert Tabbert
Chairman
Lafayette, LA

Louisiana Wildlife Federation
Keith R. Saucier
First Vice President
Gonzales, LA

Maine (3)

Eldredge Brothers Fly Shop
Jim Bernstein
Shop Manager
Cape Neddick, ME

L.L. Bean, Inc.
Mac McKeever
Senior Public Relations Representative
Freeport, ME

Maine Sport Outfitters
Paul McGurran
Fly Shop Manager
Rockport, ME

Maryland (4)

Lateral Line, Inc.
Brandon White
Founder
Easton, MD

Mayfly Enterprises, Ltd.
Jim Greene
President / CEO
Chevy Chase, MD

Mid-Atlantic Council (Federation of Fly Fishers)
James Porter
President
Columbia, MD

Potomac Valley Fly Fishers
John Brognard, Sr.
President
Middletown, MD

Massachusetts (2)

Central Mass Chapter (Trout Unlimited)
Phillip Horowitz
President
Framingham, MA

Greater Boston Chapter (Trout Unlimited)
David Glater
President
Boston, MA

Michigan (7)

Castaway Films
Grant Wiswell
Owner
Saline, MI

Dwight Lydell Chapter (Izaak Walton League of America)
Robert Stegmier
Conservation Chair
Rockford, MI

Great Lakes Council (Federation of Fly Fishers)
James Schramm
President
Pentwater, MI

Greenhighlander Flyfishing
Bret Reiter
Owner
Linden, MI

Midwest Custom Fly Rods
Steven W. Clark
Owner
Royal Oak, MI

OutsideHub.com
Steve Dooley
President
Southfield, MI

USAontheFly.com
Ken Van Every
Owner
Holt, MI

Minnesota (9)

Bob Mitchell's Fly Shop
Michael Alwin
Owner
Lake Elmo, MN

Great Lakes Fly Shop
John Fehnel
Owner
Duluth, MN

J.W. McCabe Chapter (Izaak Walton League of America)
Brent Gurtek
President
Duluth, MN

Minnesota Division (Izaak Walton League of America)
Curt Leitz
President
Saint Paul, MN

Sporting Life Adventure Travel
Paul Hansen
Vice President – International Operations
Saint Michael, MN

The Fly Angler
Scott Struif
Manager
Blaine, MN

W. Breckenridge Chapter (Izaak Walton League of America)
Steven Schaust
President
Brooklyn Park, MN

White Fox Fur & Feather Company
Jay DeLeon
Owner
Pemberton, MN

Whitefish Studio
Bob & Lisa White
Owners
Marine on St. Croix, MN

EPA Letter from Sport Fishing and Hunting Interests on Bristol Bay Alaska (Nov. 2010)

Missouri (2)

Ozark Fly Fishers, Inc.
Wallis Warren
Conservation Director
Saint Louis, MO

Southwest Missouri Fly Fishers
Paul Goodwin
President
Springfield, MO

Mississippi (1)

Fish Portraits, LLC
Curt Redden
Founder
Hattiesburg, MS

Montana (28)

Big Sky Inflatables, LLC
Richard Stuber
Owner
Stevensville, MT

Canvasfish.com
Derek DeYoung
Owner
Livingston, MT

CastaFly Travel, LLC
Robert Boyce
Owner
Bozeman, MT

Confluence Films
Jim Klug
Producer
Bozeman, MT

DR. SLICK Co.
Steve Fournier
Owner
Belgrade, MT

Fishing with Larry
Guy Schoenborn
Vice President
Columbus, MT

Flathead Wildlife, Inc.
Chuck Hunt
President
Kalispell, MT

Fly on the Wall Travels, LLC
Tyson O'Connell
President
Missoula, MT

Four Rivers Fishing Company
Greg Smith
President
Twin Bridges, MT

Gallatin River Lodge
Keith Comiso
General Manager
Bozeman, MT

Hellgate Hunters and Anglers
Land Tawney
President
Missoula, MT

Lakestream Outfitters
Justin Lawrence
Outfitting Manager
Whitefish, MT

Madison-Gallatin Chapter (Trout Unlimited)
Travis Morris
President
Bozeman, MT

Merco Products
Lyle R. Graff
President
Nye, MT

Missouri River Flyfishers
Sam Wike
President
Great Falls, MT

Montana Fly Fishing Connection, LLC
Joe Sowerby
Owner / Outfitter
Missoula, MT

Mystery Ranch Backpacks
Mark Seacat
Marketing Director
Bozeman, MT

Ro Drift Boats
Robert Eddins
President
Bozeman, MT

Simms Fishing Products
K.C. Walsh
Owner / President
Bozeman, MT

Steelhead Committee (Fed. of Fly Fishers)
Will Atlas
Co-Chair
Livingston, MT

Stonefly Inn & Outfitters
Dan Leavens
Owner
Twin Bridges, MT

Sweetwater Travel
Pat Vermillion
Owner
Livingston, MT

The Missoulian Angler Fly Shop
Russell Parks
Owner
Missoula, MT

The Trout Shop
Jerry Lappier
President
Craig, MT

Triple-M-Outfitters
Mark Faroni
Owner / Outfitter
Dixon, MT

Turneffe Flats Resort (Belize)
Craig Hayes
President
Bozeman, MT

Yellow Dog Flyfishing Adventures
Jim Klug
Founder / Director of Operations
Bozeman, MT

Yellowstone Angler
James Anderson
Co-Owner / Manager
Livingston, MT

Nebraska (2)

HuntingLife.com
Kevin Paulson
Founder / CEO
Lincoln, NE

Recycled Fish
Teeg Stouffer
Executive Director
Nebraska City, NE

Nevada (2)

Hendrix Outdoors
Mont G. Adams
Partner
Fallon, NV

Sagebrush Chapter (Trout Unlimited)
Mike Caltagirone
President
Reno, NV

New Hampshire (4)

ASA / Eastern Fishing & Outdoor Exposition
Jonathan Sauers
Show Director
Portsmouth, NH

Fly Fish America magazine
Crispin Battles
Editor & Art Director
North Conway, NH

On Target magazine
Crispin Battles
Editor & Art Director
North Conway, NH

Thompson / Center
Craig Cushman
Director of Marketing
Rochester, NH

New Jersey (1)

FlyfishMagazine.com
Lee Murdock
Publisher
Medford, NJ

New Mexico (2)

Land of Enchantment Guides
Noah Parker
Owner
Velarde, NM

Taos Fly Shop
Nick Streit
Owner
Taos, NM

New York (6)

Neversink River Guide Service
Art Salomon
Owner
Forestburgh, NY

North Flats Guiding, LLC
David Blinken
Owner
New York, NY

O.A. Mustad & Son (USA), Inc.
Jeff Pierce
Sales Manager – North America
Auburn, NY

Royal Wulff Products
Douglas Cummings
President
Livingston Manor, NY

Theodore Gordon Flyfishers
Mark Romero
Conservation Committee
Roscoe, NY

Urban Angler, LLC
Jonathan Fisher
Managing Member
New York, NY

North Carolina (2)

Nantahala River Lodge
Annette Youmans
Owner
Topton, NC

The Green Drake
Stewart Gordon
Owner
Winston Salem, NC

North Dakota (1)

Jason Mitchell Outdoors
Jason Mitchell
Owner / Guide
Devils Lake, ND

Ohio (3)

Mohican Fly Fishers of Ohio
Nick Contini
Board of Directors
Mansfield, OH

Ohio Council (Trout Unlimited)
Tom Allen
National Leadership Council Representative
Lewis Center, OH

Ohio Division (Izaak Walton League of America)
Raymond Zehler
Executive Director
Hamilton, OH

Oregon (22)

Bauer Premium Fly Reels, Inc.
Jon & Barbara Bauer
Owners
Ashland, OR

Berkley Conservation Institute / Pure Fishing
Jim Martin
Conservation Director
Mulino, OR

Beulah Fly Rods
James Shaughnessy
Owner
Medford, OR

Catch Magazine
Brian O'Keefe
Owner
Powell Butte, OR

Deschutes Angler Fly Shop
Amy Hazel
Owner / Guide
Maupin, OR

Deschutes River Camp
Matt Paluch
Owner
Madras, OR

ExpeditionMatch.com
Adam Hughes
Owner
Bend, OR

ffp Compound Rods
Phil Hager
Owner
Gresham, OR

Fish On! Fly & Tackle, LLC
Michael Unruh
President
Milwaukie, OR

Fly & Field Outfitters
Scott Cook
Owner
Bend, OR

Flywater Travel
Ken Morrish
Co-Owner
Ashland, OR

Homewaters Fly Fishing
James O. Brown
Owner
Eugene, OR

Jim Teeny, Inc.
Jim Teeny
President
Gresham, OR

Koffler Boats, Inc.
Bruce & Elaine Koffler
Owners
Eugene, OR

Lake in the Dunes
Russell Scott
Owner
Summer Lake, OR

Loon Outdoors
Alan Peterson
President
Ashland, OR

Mainstream Outdoors
Bruce Berry
Owner
Oregon City, OR

Morrison's Rogue River Lodge
Zac Kauffman
Outdoor Operations Manager
Merlin, OR

Northwest Angling Experience
Chris Vertopolous
Owner / Operator
Tillamook, OR

Oregon Council (Trout Unlimited)
Tom Wolf
Chairman
Hillsboro, OR

River City Fly Shop
Don Nelson
Owner
Beaverton, OR

The Ashland Fly Shop
Will Johnson
Owner
Ashland, OR

Pennsylvania (8)

2Bonthewater Guide Service
Vincent Dick, Jr.
Owner / Guide
Oley, PA

Arrowhead Chapter (Trout Unlimited)
Gerald Potocnak
President
Sarver, PA

Chestnut Ridge Chapter (Trout Unlimited)
Scott Hoffman
Treasurer
Uniontown, PA

Frontiers Travel
Stew Armstrong
Senior Program Manager, Freshwater
Wexford, PA

Hardy North America
James Murphy
President
Lancaster

No Brainer Expeditions
Glenn Burgess
Owner / Head Guide
Boiling Springs, PA

Pennsylvania Federation of Sportsmen's Clubs
Ted Onufrak
President
Harrisburg, PA

The Fly Fishing Show
Chuck Furimsky
Director / Owner
Rockwood, PA

South Carolina (1)

South Carolina Council (Trout Unlimited)
Meta Armstrong
Council Chair
Greenville, SC

South Dakota (4)

Custom Accessories
Royce Merritt
Owner
Harrisburg, SD

Dakota Angler & Outfitter
Hans Stephenson
Owner
Rapid City, SD

South Dakota Wildlife Federation
Chris Hesla
Executive Director
Pierre, SD

The School of Fly Fishing
Katie Cole
Education Director
Lead, SD

Tennessee (2)

Smoky Mountain Troutfitters
Sean M. McKay
Owner / Head Guide
Knoxville, TN

Strike King Lure Company
Allan W. Ranson
Chief Operating Officer
Collierville, TN

Texas (6)

Departure Publishing
Tosh Brown
Owner
Austin, TX

Lower Mountain Fork River Foundation
Patrick Waters & Roger Turner
Directors
Dallas, TX

Mountain Hideaway
Kyle E. Jones
President
Lubbock, TX

Tailwaters Fly Fishing Company
David Leake & Brent Boone
Owners
Dallas, TX

Temple Fork Outfitters
Rick Pope
President
Dallas, TX

Tosh Brown Photography
Tosh Brown
Owner
Austin, TX

Utah (3)

Trout Bum 2
David Glater
Owner / General Manager
Park City, UT

Western Rivers Flyfisher
Ken Davis
Manager
Salt Lake City, UT

William Joseph
Paul Swint
Sales Manager
West Jordan, UT

Vermont (1)

The Orvis Company
Perk Perkins
Chief Executive Officer
Sunderland, VT

Virginia (3)

Dusty Wissmath Fly Fishing
Dusty Wissmath
Owner
Bluemont, VA

Hanover Fly Fishers, Ltd. LLC
Harry W. Robertson, III
Owner
Hanover, VA

Murray's Fly Shop
Jeffrey Murray
Owner / Guide
Edinburg, VA

Washington (28)

Coastal Conservation Association Pacific NW
Gary Loomis
WA Chairman
Vancouver, WA

Deneki Outdoors
Andrew Bennett
President
Seattle, WA

Emerald Water Anglers
Dave McCoy
Owner / Head Guide
Seattle, WA

ExOfficio
Steve Bendzak
General Manager
Tukwila, WA

Far Bank Enterprises
Travis Campbell
President / CEO
Bainbridge Island, WA

Filson
Amy Teraï
Marketing Manager
Seattle, WA

Fish First
Gary Loomis
President
Woodland, WA

Inland Empire Fly Fishing Club
Jason Mulligan
President
Spokane, WA

MidStream
Seth Norman
Owner
Bellingham, WA

North Fork Composites
Gary Loomis
Owner
Woodland, WA

Northwest Women Fly Fishers
Cynthia Hickey
Conservation Committee
Seattle, WA

Pacific Fly Fishers
Michael Bennett
Owner
Mill Creek

Peninsula Outfitters
Captain Bill Drewry
Owner
Poulsbo, WA

Puget Sound Fly Fishers
Carl Zarelli
Conservation Officer
Tacoma, WA

Rajeff Sports, LLC
Tim Rajeff
President
Vancouver, WA

Red's Fly Shop, LLC
Joe Rotter
Partner
Ellensburg, WA

Redington Tackle and Apparel
Jen Gish
Marketing Manager
Bainbridge Island

Rogue Outdoor Marketing
Tyler Palmerton
President
Vancouver, WA

Sage Manufacturing
Eric Gewiss
Marketing Manager
Bainbridge Island, WA

Seattle Chapter (Izaak Walton League of America)
Bruce McGlenn
Vice President
Seattle, WA

Sky Valley Chapter (Trout Unlimited)
Max Jones
President
Monroe, WA

Spokane Fly Fishers
Mike Berube
President
Spokane, WA

SunDog, LLC
Dominick Villella
Owner
Issaquah, WA

Targus Fly & Feather, Inc.
Wayne Richey
President / CEO
Woodland, WA

Washington Council (Federation of Fly Fishers)
Carl Johnson
President
Monroe, WA

Washington Council (Trout Unlimited)
Tom Van Gelder
President
Auburn, WA

Wild Steelhead Coalition
Rich Simms
President
Kirkland, WA

XRodz Fishing Redefined
Jim Mercier
Chief Executive Officer
Seattle, WA

West Virginia (2)

Jerry's Flies
Gerald Davis
Owner
Bridgeport, WV

Mountaineer Chapter (Trout Unlimited)
Randy Kesling
President
Bridgeport, WV

EPA Letter from Sport Fishing and Hunting Interests on Bristol Bay Alaska (Nov. 2010)

Wisconsin (4)

Aldo Leupold Chapter (Trout Unlimited)
Michael Barniskis
President
Beaver Dam, WI

Coulee Region Chapter (Trout Unlimited)
Eric Rauch
President
La Crosse, WI

Jacquish Hollow Angler
Dave Barron
Owner / Guide
Richland Center, WI

Stream Dreams Outfitter
John Nebel
Owner / Guide
Menasha, WI

Wyoming (7)

Cliff Outdoors
Matt Cassel
Owner
Casper, WY

Fish the Fly Guide Service & Travel
Jason Balogh
Owner
Jackson, WY

High Country Flies
Howard Cole
Manager
Jackson, WY

North Fork Anglers
Tim Wade
Owner
Cody, WY

Platte River Fly Shop
Ryan Anderson
Owner
Casper, WY

Wyoming Council (Trout Unlimited)
Dave Sweet
Chairman
Cody, WY

Wyoming Fly Fishing Guide Service
Ryan Anderson
Owner
Casper, WY

International (17 from 5 Countries)

Canada (4)

Fly Fusion Magazine
Chris Bird
Group Publisher
Calgary, Alberta

Islander Reels
Barry Foster
Manager
Saanichton, British Columbia

Torrent
Bruno Isabelle
Operations Director
Sherbrooke, Quebec

Wilson's Fly Fishing
Jim Wilson
Owner
Toronto, Ontario

Finland (1)

Vision Group, Ltd.
Tuomas Ryttonen
Product Manager
Hyvinkaa

France (1)

Planet Fly Fishing
Olivier Lauzanne
Owner
Boulogne, Billancourt

Singapore (1)

Spinmade Oy
Samuli Orko
Co-Founder / Vice President – Asia Pacific
Singapore

United Kingdom (10)

Aardvark McLeod International Fly Fishing Specialists
Peter McLeod
Managing Director
Tidworth, Hampshire

Albury Game Angling
Peter Cockwill
Owner
Albury, Surrey

Dragon Tackle International, Ltd.
Terry Clease
Managing Director
Llangan, Vale of Glamorgan

European Fishing Tackle Trade Association
Jean-Claude Bel
Chief Executive Officer
London, England

Fish and Fly, Ltd.
Paul Sharman
Editor
Worth, West Sussex

Fulling Mill Limited
John Wolstenholme
Director of Sales & Marketing
Salfords, Surrey

Hardy & Grey's Limited
Richard Sanderson
Managing Director
Alnwick, Northumberland

Richard Wheatley Limited
Mark Woof
Managing Director
Malvern, Worcestershire

Roxton's Worldwide
Charlie White
Director of Fishing
Hungerford, Berkshire

Turrall Flies
Simon Jefferies
Sales Director
Devon, England

3-4

Ms. Lisa Jackson
Administrator
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

October 25, 2010

Dear Administrator Jackson,

As people of faith, we are called to be good stewards of God's Creation and to seek justice for all of God's people. We write to you with great concern for the proposed mine in Bristol Bay, Alaska and believe that any mine in this area would threaten the health and well-being of this natural system as well as the native and fishing communities around the Bay. We believe the Environmental Protection Agency (EPA) has a significant role to play in the proposed mine's development and urge you to initiate a 404(c) process to ensure protection for God's Creation and people in Bristol Bay.

Bristol Bay provides one of the last truly healthy and productive salmon fisheries in North America and the world. Each year, millions of salmon return to the Bristol Bay watershed to spawn. This annual run has continued to support the native Alaskan's subsistence lifestyle, hundreds of commercial fishermen and their families who fish Bristol Bay every summer, and thousands of sport fishermen for whom Bristol Bay is a "destination." In addition to the economic and community benefits that the Bay provides, the health of the salmon population ensures the health of the entire Bay including grizzly bears, bald eagles, and the whole of God's creation in the Bay.

Of particular importance to the faith community are the environmental justice implications of the proposed mine and the impact that the mine would have on native Alaskan communities in the Bristol Bay watershed. Six native tribes live in the Bristol Bay watershed, and the salmon that return to the Bay every year provide for more than 50 percent of an average native Alaskan's diet. Bristol Bay's pristine water and the salmon that thrive here are a vital part of the native Alaskan culture that has survived for centuries. A mine would threaten the health and well-being of the native communities and creation that live here.

If developed, the proposed mine would threaten all of this. Reports have shown that the Pebble Mine would be the largest open-pit hard-rock mine in North America covering more than 28 square miles with the largest dam in the world as part of the mine complex. According to the mining companies, the proposed mine would produce up to nine billion tons of waste, containing toxic substances such as aluminum, arsenic, lead, mercury, selenium and naturally radioactive material. Any release of this combination of metals and toxic substances would threaten the well-being of creation and communities in and around the Bay.

The EPA will play a large role in the permitting process of this mine and we urge you to take proactive steps that will fully explore the potential impacts that a mine of this scale would have on Bristol Bay. Specifically, we urge you to initiate a 404(c) process as outlined under the Clean Water Act which would outline the impacts of the mine's waste on the area's water quality, a vital component of God's creation, and prevent the use of the Bristol Bay watershed as a dumping ground for toxic mining waste. We look forward to working with you in protecting Bristol Bay in the months ahead.

Sincerely,

The Episcopal Church

Evangelical Lutheran Church in America

National Council of Churches USA

Presbyterian Church (USA) Office of Public Witness

United Church of Christ, Justice and Witness Ministries

United Methodist Church, General Board of Church and Society

2-6

Contact:

Tyler Edgar

Associate Director

Eco-Justice Program

National Council of Churches

tedgar@nccecojustice.org

239-560-1560

The Honorable Lisa Jackson
Administrator
United States Environmental Protection Agency
1200 Pennsylvania Ave., NW
Ariel Rios South Building
Washington, DC 20460

October 29, 2010

Re: Request for Initiation of Clean Water Act Section 404(c) in area near Bristol Bay, Alaska

Dear Administrator Jackson,

As chefs, restaurateurs, and members of the food community, we seek your help in protecting one of our nation's most sustainable and healthy foods, Bristol Bay sockeye salmon, from the proposed Pebble Mine and large-scale mineral development. Unlike the majority of other wild salmon stocks along the West Coast, Bristol Bay sockeye is abundant and well-managed but it faces unprecedented threats from large-scale mineral development. This is where you can help.

With up to 60 million wild salmon returning each summer to Bristol Bay, Alaska, it is our nation's largest and most valuable wild salmon fishery, making it a critical food and revenue source for thousands of Americans. The Bristol Bay fishery employs over 4,000 people each season and generates hundreds of millions of dollars for America's economy annually. Bristol Bay's fishery not only sustains the livelihoods of fishermen and seafood processors, it also greatly impacts those of us who rely on sustainable wild salmon fisheries for our businesses. Wild Pacific salmon is an internationally recognized and prized food that consumers increasingly seek out, which makes it an essential and irreplaceable part of our menus.

Although Bristol Bay is a salmon stronghold, the region's healthy ecosystem could be severely damaged if plans for the development of the proposed Pebble Mine go forward. Located on state land in the headwaters of two of Bristol Bay's major salmon-producing rivers, Pebble is a massive gold and copper sulfide deposit. If developed, it would be one of the world's largest open-pit metal mines. Scientists have identified a slew of risks associated with this project, including acid mine drainage, industrial discharges, and toxic waste that would require perpetual treatment. In addition to Pebble, other mining projects may go forward on federal land nearby due to a Bush Administration plan that removed mining restrictions on 1.1 million acres of Bureau of Land Management land.

As chefs, restaurateurs, and food lovers, we feel these risks to Bristol Bay are unacceptable. If we allow these mining projects to advance, we endanger a delicious and nutrient-rich food that millions of Americans value and demand. Bristol Bay presents an opportunity to permanently protect this wild food source that sustains an irreplaceable ecosystem and an invaluable marketplace. Therefore, we urge you to use your authority under the Clean Water Act to oppose the Pebble Mine and permanently protect the Bristol Bay fishery.

Sincerely yours,

Aaron Willis
Executive Chef
Summit House
Crystal Mountain, Washington

Adam Danforth
Butcher
Marlow and Daughters
Brooklyn, New York

Adam N. Hoffman
Chef de Cuisine
Rover's Restaurant
Seattle, Washington

Alan Hummel
Director, Seafood and Meats
New Seasons Market
Portland, Oregon

Amy Grondin
Sustainable Seafood Consultant
Grondin Consulting
Port Townsend, Washington

Angela Toner
Personal Chef
Personal Chef Angela
Seattle, Washington

Anna Li
Director of Marketing
The Essential Baking Company
Seattle, Washington

Anthony Polizzi
Chef de Cuisine
Steelhead Diner
Seattle, Washington

Ashley Koff
Registered Dietitian/Nutritionist
Ashley Koff Approved
Los Angeles, California

Barbara Aderson
Goddess Personal Chef Service
North Easton, Massachusetts

Barton Seaver
Chef and Cookbook Author
Blue Ridge Restaurant / For Cod and Country
Georgetown, D.C.

Becky Selengut
Chef and Author
Cornucopia Cuisine
Seattle, Washington

Bill Morris
Executive Chef
The Rainier Club
Seattle, Washington

Bryan Dolieslager, CCM, CEC
General Manager
Evergreen Country Club
Haymarket, Virginia

Bryan Szeliga
Chef de Cuisine
Lucy's Table
Portland, Oregon

Bun Lai
Chef and Owner
Miya's Sushi
New Haven, Connecticut

Buzz Hufford
Resident District Manager
Bon Appetit Management Company
Seattle, Washington

Casson Trenor
Co-Owner
Tataki Sushi and Sake Bar
San Francisco, California

Cathy Whims
Chef and Owner
Nostrana
Portland, Oregon

Charles Finkel
Owner
The Pike Pub and Brewery
Seattle, Washington

Chris Logsdon
Owner
Chris Logsdon Catering
Portland, Oregon

Christine Keff
Chef and Owner
Flying Fish
Seattle, Washington

Christopher Wang
Personal Chef/Bristol Bay fisherman
Sea Education Association

Connie Adams
Editor
SeattleDINING.com
Seattle, Washington

Cory Carman
Owner
Carman Ranch
Wallowa, Oregon

Dana Cress
Executive Chef
Salty's on the Columbia
Portland, Oregon

David E. Ross
Food Writer
Los Angeles, California

David Ivey-Soto MBA, CEC, CCA
Certified Executive Chef
American Culinary Federation
Alexandria, Virginia

David Knaus
Owner
Fresh Earth Gardens
Portland, Oregon

David Sauer
Sales Representative
OceanWide Seafood
Dayton, Ohio

Dustin Ronspies
Chef
Art of the Table
Seattle, Washington

Eddie Pierson
Chef and Owner
Simply Seasoned Catering
Snohomish, Washington

Edward M Glennon Jr
Chef
Back Eddy Bistro
Venice, Florida

Elaine Johnson
Associate Food Editor
Sunset Magazine
San Francisco, California

Elaine Osuna
Pastry Chef
A Cote Restaurant
Oakland, California

Eli Penberthy
Associate Editor
PCC Sound Consumer/PCC Markets
Seattle, Washington

Elizabeth Woessner
President
The Underground Gourmet
Denver, Colorado

Ellen Jackson
Chef, Food Stylist
foodprintstyle
Portland, Oregon

Farah Renno
Alaska Mountain Air
Eagle River, Alaska

Forest Bell
Executive Chef
Congressional Country Club
Bethesda, Maryland

Francesca Benedetti
CSA Coordinator
Sauvie Island Organics
Portland, Oregon

Gavan Murphy
Owner
The Healthy Irishman Events
Venice, California

George Lewis
President
Vanilla Box, Inc
Boston, Massachusetts

George Rudolph
Executive Chef
Sunset Cork Room
Gulf Shores, Alabama

Gerard Thompson
Executive Chef
Rough Creek Lodge & Resort
Glen Rose, Texas

Gerard Viverito
Director and Owner
Savour Fine Catering and Event Design
San Diego, California

Gina Truhe
Food Blogger
Trattoria Vivolo/Food is My Porn
Harrison, New York

Helene Kennan
Resident District Manager
Bon Appetit Management Company
Los Angeles, California

Henry Lovejoy
President and Founder
EcoFish, Inc.
Dover, New Hampshire

Hunter Chamness
Chef
Bones
Denver, Colorado

Ian A. Ale CEC-CCE-AAC
Director
Virginia Culinary School
Fairfax, Virginia

J. Huston
Founder and Primary
Farm to Table Food Services
Oakland, California

Jack Henniger
Executive Chef
BridgePort BrewPub
Portland, Oregon

Jacquelyn Brassell
Chef
Chef Jax Concepts
Atlanta, Georgia

Jade Castillo
Owner
Soiree Catering
Bainbridge Island, Washington

Jake Greenberg
Owner
Classic Foods, Ltd
Portland, Oregon

James Morris
Executive Chef
Evergreen Country Club
Haymarket, Virginia

Jane Lee
President
Jadon Foods
Las Vegas, Nevada

Jarad Gallagher
Executive Chef
Lake Chalet Seafood Bar and Grill
Oakland, California

Jeff McClelland
Executive Chef
The Harbour Public House
Bainbridge Island, Washington

Jeffrey Mora
Owner
Metropolitan Culinary Services, Inc
Los Angeles, California

Jennifer Girvin
Director of Development
Little Brothers Friends of the Elderly
Boston, Massachusetts

Jeri Jackson
Master Chef
The Art of Food
New York, New York
Jerry huisinga
Chef
Bar Mingo
Portland, Oregon

Joel Chenet
Chef and Owner
Mill Bay Coffee & Pastries
Kodiak, Alaska

John Arsenault
Owner
Sol
Wellfleet, Massachusetts

John Ash
Chef and Creator
John Ash & Company
Santa Rosa, California

John Tesar
Culinary Director
DRG Concepts
Dallas, Texas

Joshua Riffle
Personal Chef
Antone Ranch
Bend, Oregon

Julia Landau
Program Associate
Slow Food USA
New York, New York

Julie Minadeo
Territory Manager
Southern Wine & Spirits of Nevada
Las Vegas, Nevada

Justin Durand
Sous Chef
Athletic Club of Columbus
Columbus, Ohio

Justin E Tedford
Line Cook
One Twenty Six
Iowa City, Iowa

Karen Ripley
Health Counselor and Whole Food Chef
New York, New York

Kathryn Bliss
Center Chef
Rendezvous Grill and Tap Room
Welches, Oregon

Ken Martin
Meat Manager
New Seasons Market
Portland, Oregon

Kevin Cottle
Executive Chef
The Country Club of Farmington
Farmington, Connecticut

Kevin Davis
Executive Chef and Owner
Blueacre Seafood
Seattle, Washington

Kevin Davis
Chef and Owner
Steelhead Diner
Seattle, Washington

Kin Lui
Chef and Owner
Tataki Sushi and Sake Bar
San Francisco, California

Kori Green
Owner
Korianne Designs
Chicago, Illinois

Kristin Kelly
Kristy's Cuisine

Kristofor Sandholm
Chef and Owner
Starfish Brasserie
Bethlehem, Pennsylvania

Kurt Kwiatkowski
Dining Service Complex Manager
Michigan State University
Lansing, Michigan

Laura Lee
Chef Instructor
Napa Valley Cooking School
St. Helena, California

Lisa Lanxon
Executive Chef
Cana's Feast Winery
Carlton, Oregon

Lisa Schroeder
Chef and Owner
Mother's Bistro & Bar
Portland, Oregon

Lisa Schroeder
Chef and Owner
Mama Mia Trattoria
Portland, Oregon

Lola Jane Probert
Owner
Jealous Snails, LLC.
San Antonio, Texas

Marcel Fernandez
Server
Bottega Grill
Miami, Florida

Marcia J Hara
Chef
Illahe Hills Country Club
Salem, Oregon

Mark Bittman
Chef, Cookbook Author, TV host
New York, New York

Mark Bodinet
Executive Chef
Copperleaf Restaurant at Cedarbrook Lodge
Seattle, Washington
Mark Dommen
Chef and Partner
One Market Restaurant, San Francisco
San Francisco, California

Mark Mendez
Executive Chef
Carnivale
Chicago, Illinois

Mark Roberthon
Chef
Cafe Des Amis
Breaux Bridge, Louisiana

Marty Cummins
Corporate Chef
The Lemmons Company
Dallas/Fort Worth, Texas

Mary Loos
Health Services Administrator
Chefs Collaborative member
Portland, Oregon

Max Chapman
Student Cook
Flaming Eggplant Cafe
Olympia, Washington

Megan Goble
Champagnes Cafe
Las Vegas, Nevada

Meggen Chadsey
Writing Contributor
Seattle Chefs Collaborative
Seattle, Washington

Melissa LeClair
Therapeutic Chef
Vibrant Chef Services
Vancouver, B.C.

Michael Lynch
Chef Instructor
Food and Finance High School
New York, New York

Michael Rosen, CEC
Executive Chef
The Speedway Club at Charlotte Motor
Speedway
Concord, North Carolina

Michael Sternberg
Founder and Proprieter
Harry's Tap Room
Arlington, Virginia

Mike Anderson
Parental Guidance, Inc.
Rye, New Hampshire

Moses Boone
ECOpreneur
Colored Planet Connexion
New York, New York

Nan Ellis
Mendham High School
Mendham, New Jersey

Nikki Moore
Chef and Owner
FOOD LOVE
Charlotte, North Carolina

Patricia Cyman
Beverage Director and Executive Chef
Ranch House Restaurant
Fraser, Colorado

Patricia Gadsby
Journalist, Farmers Market Manager
Falmouth Farmers Market
Falmouth, Massachusetts

Patricia McCormick
Culinary Student

Patrick Klinger
Retired Restaurateur
Burgerville
Vancouver, Washington

Paul Hutchinson
Chancellor's Village
Fredericksburg, Virginia

Paul Johnson
Founder and Cookbook Author
Monterey Fish Market
San Francisco, California

Quentin Topping
Executive Chef
Google
Mountain View, California

Ramona White
Chef Instructor
Oregon Culinary Institute
Portland, Oregon

Ray Brantley
Dining Captain
Rosewood Mansion on Turtle Creek
Dallas, Texas

Ray Chen
Marine Club
San Francisco, California

Raymond Carpenter
Executive Chef
Laurel Creek Country Club
Mount Laurel, New Jersey

Raymond Ho
Chef and Partner
Tataki Sushi and Sake Bar
San Francisco, California

Rick Moonen
Creator/Executive Chef
RM Seafood
Las Vegas, Nevada

Rob Salvino
Terra Preta Sales
Seattle, Washington

Robert Kramer
Line Cook/Prep Cook
Higgins Restaurant
Portland, Oregon

Robert Marcarelli
Restaurant Consultant
PPX Hospitality - Restaurant Consultant
New York, New York

Robin Leventhal
Chef and Owner
Crave, LLC
Seattle, Washington

Roland G. Henin, CMC
Corporate Chef
Delaware North Companies
Buffalo, New York

Ronnie MacQuarrie
Orencia Station Chef
New Seasons Market
Portland, Oregon

Rose Ann Finkel
Owner
Pike Brewing Company
Seattle, Washington

Roy Breiman
Culinary Director
Copperleaf Restaurant
Seattle, Washington

Roy Finamore
Cookbook Editor and Author
TASTYcentral.com
New York, New York

Sarah Schafer
Executive Chef
Irving Street Kitchen
Portland, Oregon

Scott Justis
Owner
Nelbud Service Group
Egg Harbor City, New Jersey

Scott Thomas
General Manager
Whitetail Club
Boise, Idaho

Seth Caswell
Chef and Owner
Emmer&Rye Restaurant
Seattle, Washington

Sharon Montoya-Welsh
Cookbook Author
Oyster Cookery
Seattle, Washington

Sheila Bowman
Senior Outreach Manager
Seafood Watch Program, Monterey Bay Aq.
Monterey, California

Sherry Feakes
New Seasons Market
Hillsboro, Oregon

Stacey Givens
Founder and Owner
The Side Yard Farm
Portland, Oregon

Stephen Sheer
CHEF FLEX
Hudson, Ohio

Susan Brothers Williams
Jack's Café

Suzanne Scalfaro
Chef, LLC
Portland, Oregon

Suzanne Zoubeck
Founder, Organizer
Green Thumb CSA
Huntington Station, New York

Tana Hickey
Meat Assistant
New Seasons Market
Portland, Oregon

Tanya Turner
Hayashi Sushi
Easton, Massachusetts

Thierry Rautureau
Chef and Owner
Rover's and Luc
Seattle, Washington

Tim Stein
President
Hospitality Sustainability Resources LLC
Denver, Colorado

Timothy P. Keating
Chef de Cuisine
The Flying Fish Cafe
Orlando, Florida

Tom Colicchio
Chef, Owner, TV Host and Cookbook Author
Craft Restaurants, 'wichcraft, Colicchio & Sons
New York, New York

Tom Yarter
Instructor and Sous Chef
New Seasons Market
Arbor Lodge, Oregon

Tony Meyers
Executive Chef
Serratto
Portland, Oregon

Tracy Green
Chef Instructor
Newport High School
Seattle, Washington

Tracy Lamothe
Chef and Owner
Riva's Trattoria, Inc.
Greensboro, North Carolina

Tricia Bailey
Tricia Bailey
Newport, Rhode Island

Tricia Butler
Proprietor
Sassafras Catering
Portland, Oregon

Vincent Clyne, CWP
Restaurateur and Instructor
Chefscool, Clyne and Murphy
Westfield, New Jersey

Vincent J. Alberici, CEC
Chef Consultant
Philedelphia, Pennsylvania

Vito DiLullo
Executive Chef and Owner
Ciao Vito
Portland, Oregon

Wayne Johnson
Executive Chef
Andalucia Restaurant
Seattle, Washington

William Alexander
Executive Chef
One. Six One
Chicago, Illinois

William A. Martin
Tastings Wine Bar & Bistro
Foxboro, Massachusetts

TIFFANY & CO.
727 FIFTH AVENUE
NEW YORK, NEW YORK 10022
212-755-8000

MICHAEL J. KOWALSKI
CHAIRMAN AND
CHIEF EXECUTIVE OFFICER

September 14, 2010

The President of the United States
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Dear Mr. President,

On behalf of Tiffany & Co., I am writing to urge you to protect the irreplaceable resources and heritage of Bristol Bay, Alaska from the potentially devastating environmental degradation associated with the proposed Pebble Mine.

Since 1837, Tiffany & Co. has created jewelry inspired by the beauty of the natural world. As we discussed in New York, we are proud that for more than 16 decades our artisans have designed and manufactured our jewelry in America. We are also strong believers in American mining. In fact, the majority of the gold and silver used in Tiffany & Co. jewelry workshops is obtained from a single U.S. mine that meets the highest standards of social and environmental responsibility.

Despite the fundamental importance of precious metals to our business, we believe that there are special places where mining should not take place. We agree with many Alaskans that the pristine Bristol Bay watershed is one such place. Unfortunately, an international mining partnership proposes to extract gold and copper from the heart of America's greatest salmon fishery, near the headwaters that sustain Bristol Bay.

The scheme would require construction of one of the largest earthen dams on the planet in an area that experiences frequent earthquakes. Should the project proceed, it will only be a matter of time until the dam fails and dumps mine waste and deadly pollution into the rivers and streams that flow to Bristol Bay.

The consequences of such a failure will be catastrophic. Bristol Bay is a stronghold for wild salmon without parallel in the world. The vibrant fishery supports subsistence, commercial and sport fishing worth nearly half a billion dollars and thousands of jobs annually. Putting this special place and these jobs in jeopardy for the sake of gold mining is simply not worth the risk. Tiffany & Co., along with many American jewelry retailers, has signed the *No Pebble Pledge* and will not source gold from the proposed mine because our customers and potential customers expect and deserve nothing less. And it is for

this reason that we will place the attached advertisement in the December issue of National Geographic Magazine which will feature the glories of Bristol Bay.

Your Administration, through the leadership of Interior Secretary Ken Salazar and Bureau of Land Management Director Bob Abbey, has already taken important steps to protect this invaluable region by banning new oil and gas development in Bristol Bay and by protecting federal land from hard rock mining. These courageous decisions would be undermined should the Pebble Mine proposal receive the permits necessary to proceed.

Tiffany & Co. respectfully urges you to use all appropriate tools at your disposal to ensure that the Pebble Mine is never built and that Bristol Bay remains the inspirational, valuable, and productive ecosystem that it is today and for generations to come.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mike Kowalek". The signature is fluid and cursive, with a horizontal line extending from the end.

2-4

cc: The Honorable Ken Salazar, Secretary, Department of the Interior
The Honorable Gary Locke, Secretary, Department of Commerce
The Honorable Lisa Jackson, Administrator, Environmental Protection Agency
Nancy Sutley, Chair, Council on Environmental Quality
Bob Abbey, Director, Bureau of Land Management
Jon Jarvis, Director, National Park Service
Rowan Guild, Acting Director, U.S. Fish and Wildlife Service
Dr. Jane Lubchenco, Administrator, National Oceanic and Atmospheric Administration
Jo-Ellen Darcy, Assistant Secretary of the Army, Civil Works

TIFFANY & CO. CELEBRATES
BRISTOL BAY, ALASKA
ONE OF AMERICA'S
PRICELESS TREASURES

The Bristol Bay watershed is the spectacular home of America's greatest wild salmon fishery and one of the most beautiful and pristine places on earth.

This is why Tiffany & Co. is so concerned about the proposal to locate an enormous gold and copper mine in the very heart of this watershed.

Tiffany & Co. and other jewelers have publicly announced that we will not use gold from the proposed Pebble Mine. Tiffany's experience in over 173 years of sourcing gemstones and precious metals tells us that there are certain places where mining cannot be done without damaging the landscape, wildlife and communities.

Bristol Bay is one such place.

As we weigh the inevitable risks against the promised reward of the Pebble Mine, we know there will be other gold and copper mines to develop. But we will never find a more majestic and productive place than Bristol Bay.

TIFFANY & Co.

WHEREAS, The Nature Conservancy is committed to the long-term vitality, diversity and abundance of fish and wildlife in the Nushagak and Kvichak watersheds of the Bristol Bay region.

WHEREAS, the Nushagak and Kvichak watersheds comprise a global center of sockeye salmon diversity and Bristol Bay as a whole produces an estimated 51% of the world's sockeye salmon and 10% of the world's wild salmon population.

WHEREAS, for the last four years, the Conservancy has undertaken rigorous scientific investigation at a cost of roughly \$2.5 million, including commission of several peer-reviewed independent reports, to assess the potential risks to these resources posed by large-scale mining in these watersheds

WHEREAS, based on our understanding of the risks and the state of current, proven mining technology, large-scale mining in these critical watersheds at this time presents an inappropriate risk to the salmon systems of the region

THEREFORE BE IT RESOLVED that the Conservancy recommends that in the Kvichak and Nushagak watersheds mining and other activities will not be allowed that:

- destroy or impair wild salmon habitat, such that the sustained abundance in the watersheds is placed at significant risk
- require water withdrawals that may exceed ecological flow needs for fish and wildlife
- need active management in perpetuity to avoid environmental contamination¹
- result in acid mine drainage that cannot be eliminated by proven methods and technology established at comparable sites and scale²

BE IT FURTHER RESOLVED the Conservancy believes that a very high bar is necessary in this region and the above criteria should form the foundation of that bar.

BE IT FURTHER RESOLVED the Conservancy will work together with local communities, state and federal agencies, businesses and other stakeholders to further refine and characterize this bar such that we maintain the vitality, abundance and diversity of these salmon systems.

¹ By "active management" we do not mean long-term monitoring or correcting unforeseen problems, both of which are required by law. The intent is to avoid planned management such as active mechanical and water quality management systems that must be maintained in perpetuity.

² It is important to note that by "comparable sites and scale" we do not mean "identical." The intent is to find a project with similar geological, hydrologic, and meteorological conditions at a scale relevant for comparison purposes.

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